

ST. CHARLES PARISH
PLANNING BOARD OF COMMISSIONERS
OCTOBER 8, 2015
7:00 P.M.

CALL TO ORDER
PLEDGE OF ALLEGIANCE

TABLED CASES:

1 PZR-2015-18

Requested by: Houston Energy for a change in zoning classification from R-1A to OL (Open Land) at approx. 3 acres of property in Section T13S R21E, Sec. 43, Luling, LA. Council District 2 **This request requires a recommendation from the Planning Commission and approval from the Council. Forward to Council November 2, 2015.**

10 PZSPU-2015-16

Requested by: Houston Energy for a Special Permit Use for Mineral Extraction to construct a board road and prospect for gas via conventional rig and drill pad at approx. 3 acres of property in Section T13S R21E, Sec. 43, Luling, LA. Proposed Zoning OL (Open Land) Council District 2. **This request requires Planning Commission approval only.**

20 PZR-2015-19

Requested by: David M. Folsie for a change in zoning classification from C-3 to M-1 at **14199 Hwy 90, Boutte**. Council District 4. **This request requires a recommendation from the Planning Commission and approval from the Council. Forward to Council November 2, 2015.**

27 PZO-2015-04

Requested by: Paul J. Hogan, PE, Councilman District IV for an ordinance to amend The St. Charles Parish Zoning Ordinance of 1981, Section VI., Zoning district criteria and regulations., D., [I]. 1. c. Special Permit Uses in the M-1 Zoning District, by adding “(10) cemeteries upon approval of the Planning Commission and a supporting resolution of the Council.” **This request requires a recommendation from the Planning Commission and approval from the Council. Forward to Council November 2, 2015.**

PUBLIC HEARING:

29 PZSPU-2015-20

Requested by: Coastal Permitting, LLC for a Special Permit Use for an Accessory Dwelling Unit (ADU) at **320 Wade St., Luling**. Zoning District R-1A. Council District 7. **This request requires approval by the Planning Commission and a Supporting Resolution of the Council. Forward to Council October 19, 2015**

33 PZR-2015-20

Requested by: Ashley Plaisance for a change in zoning classification from R-1A to OL at Lots J-1 and J-2 of a Partition of the Heirs of Anatole Friloux, **309 St. Mark Ave., Ama**. Council District 2. **This request requires a recommendation from the Planning Commission and approval from the Council. Forward to Council November 2, 2015.**

38 PZR-2015-22

Requested by: Airlanzo Wells for a zoning reclassification C-2 to R-3 at Lot Z1-A in front of Ormond Meadows Subdivision, **14194 River Rd., Destrehan**. Council District 3 **This request requires a recommendation from the Planning Commission and approval from the Council. Forward to Council November 2, 2015.**

43 PZR-2015-23

Requested by: DVL Properties, LLC for a change in zoning classification from R-1A(M) to C-2 on a Portion of Lot 1-A Square 1 of Crespo Subdivision at **11760 River Rd., St. Rose.** Council District 5. **This request requires a recommendation from the Planning Commission and approval from the Council. Forward to Council November 2, 2015.**

48 PZS-2015-24

Requested by: Louis Authement on behalf of Justin & Heather Loupe and Elaine Naranjo for resubdivision of Lots 307, 308 and 60 ft. access to be revoked in Fashion Plantation Estates, Ph. II into Lots 307A & 308A **700 & 702 S. Fashion Blvd.** in Sections 7 & 8, T13S R20E, St. Charles Parish, La. Zoning District R-1A. Council District 1. **This request requires a recommendation from the Planning Commission and approval from the Council. Forward to Council November 2, 2015.**

53 PZS-2015-35

Requested by: Jody Fahrig for resubdivision of the T.C. Dufrene Estate & Lot 21-A-3 into lots herein designated as Lot 21-A-4, Lot 21-A-5 and Lot 1-TCDE of the T.C. Dufrene Estate situated in Section 11, T14S R20E, Boutte, St. Charles Parish, La. Zoning District OL. Council District 4. **This request requires a recommendation from the Planning Commission and approval from the Council. Forward to Council November 2, 2015.**

58 PZS-2015-36

Requested by: Romeo J. Dufresne for resubdivision of Lot 25, Good Hope Subdivision, Annex C, into Lots 25A & 25B, Good Hope Subdivision, Annex C, situated in Section 6, T12S R8E, St. Charles Parish, La. Zoning District C-2 & R-1A. Council District 6. **This request requires a recommendation from the Planning Commission and approval from the Council. Forward to Council November 2, 2015.**

OLD BUSINESS -

NEW BUSINESS –

MINUTES – August 6, 2015, September 3, 2015

ADJOURN

LAND USE REPORT

CASE NUMBER: PZR 2015-18

- ◆ **Name/Address of Applicant:** Application Date: 7/1/15
Houston Energy / William Flores
1415 Louisiana Street, Ste. 2400
Houston, TX 77002
713.400.7774
bflores@houstonenergyinc.com
- ◆ **Location of Site:**
North of Willowdale Subdivision, East of Willowdale Blvd.
- ◆ **Requested Action**
Rezone from R-1A to O-L
- ◆ **Purpose of Requested Action**
To construct a board road, and prospect for gas via conventional rig and drill pad.

- ◆ **Size of Parcel**
130,680 square feet (approx. 3 acres)
- ◆ **Existing Land Use and Zoning**
R-1A Zoning(proposed O-L); wooded and vacant
- ◆ **Surrounding Land Uses and Zoning**
R-1A zoning & with wooded vacant land to the North and East; R-1A zoning and land use to the South and West.
- ◆ **Traffic Access and Parking**
Willowdale Boulevard.
- ◆ **Plan 2030 Recommendations:**
Wetland

1. Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the proponent's property and adjacent property. Reasonableness is defined as:
 - a. Land use the same as, or similar to that existing on properties next to, or across the street from the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects, which tend to limit the usefulness of vacant land or buildings.
2. The proposed zoning change, and the potential of a resulting land use change, will comply with the general public interest and welfare and will not create:
 - a. Undue congestion of streets and traffic access.
 - b. Overcrowding of land or overburden on public facilities such as transportation, sewerage, drainage, schools, parks and other public facilities.
 - c. Land or building usage which, is, or may become incompatible with existing character or usage of the neighborhood.
 - d. An oversupply of types of land use or zoning in proportion to population, land use and public facilities in the neighborhood.
3. The proposed zoning change is in keeping with zoning law and precedent, in that:
 - a. It is not capricious or arbitrary in nature or intent.
 - b. It does not create a monopoly, or limit the value or usefulness of neighboring properties.

- c. It does not adversely affect the reliance that neighboring property owners or occupants have placed upon existing zoning patterns.
- d. It does not create a spot zone, that is, an incompatible or unrelated classification which would prevent the normal maintenance and enjoyment of adjacent properties.

ANALYSIS

This request is to rezone a portion of wooded property currently zoned R-1A to O-L to allow for a Special Permit Use to prospect for gas from a conventional rig and drilling pad. The applicants started their process by applying for a US Army Corps of Engineers Permit and a Louisiana Department of Natural Resources (LADNR) Permit to locate a drilling pad at the end of 2014. The original application for those permits identified the board road on top of the existing levee North of Willowdale subdivision. Because of objections from the nearby residents and the Department of Public Works, an alternative location with the drilling pad and board road located nearly 600 feet to the north was submitted to the permit agencies and a Letter of No Objection was sent by the Parish Council. However, during review, a hydrologist with LADNR objected to the location of the board road, citing concerns about impounding water between it and the existing levee. Subsequently, Houston Energy submitted a third site plan, leaving the drilling pad in its northern location, but aligning the board road back near the levee, but angling to avoid the residences as a compromise. This proposal also appeared before the Parish Council and received a Letter of No Objection. The rezoning case PZR-2015-18 and the Special Permit Case PZSPU-2015-16 both reflect the third site plan described above.

Recommendation for rezoning approval requires that an application must meet the tests of one of three criteria listed above. This application **fails all three**.

The first criteria addresses whether land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the proponent's property and adjacent property. No land use in the area is the same as, or similar to, the proposed zoning. There are no unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies. It could be argued that changes in land value, physical environment or economic aspects would make the site more difficult to develop as is it currently zoned; it has been some 10 years since a new major subdivision has been filed for.

The second criteria addresses whether proposed zoning will comply with the general public interest and welfare. One of the complaints heard early in this process was that the project would create congestion of streets and traffic access problems, particularly during the initial construction phase. The second site plan would have addressed this issue because of where the access road left Willowdale Boulevard, but that was rejected by LADNR. It appears the only public facilities that may be affected would be transportation, as discussed above, but that sewerage, drainage, schools, parks and other public facilities would not be affected at all. By all appearance the proposed and potential use of an O-L piece of land in this area is, or may become incompatible with existing character or usage of the neighborhood which is all single family, site built homes. The proposal does not create an oversupply of types of land use or zoning in proportion to population, land use and public facilities in the neighborhood in that there are no O-L properties nearby.

The third criteria judges whether proposed zoning change is in keeping with zoning law and precedent. The proposal doesn't appear to be capricious or arbitrary in nature or intent and does not create a monopoly. Some neighboring properties have stated that they believe this project would limit the value or usefulness of their property. It could be argued that the proposal does adversely affect the reliance that neighboring property owners or occupants have placed upon existing zoning patterns in that the area has tended toward single family residential since the original zoning was adopted in 1981. Approving the proposal would create a spot zone that may result in an incompatible or unrelated classification which would prevent the normal maintenance and enjoyment of adjacent properties.

The Future Land Use Map for the lot is *Wetland*. It could be argued that while this rezoning does not ask to zone the area as Wetland (W-1), that the O-L Zoning is a movement closer to the desired use, so the proposal is not incompatible with the FLUM.

As previous stated to the St. Charles Parish Council, the proposal that moves the road several hundred feet to the north and pulls the construction traffic off of Willowdale Boulevard before passing in front of residents homes would address one if not all of the issues raised in the analysis.

DEPARTMENT RECOMMENDATION

Denial.

RIVERBEND PROSPECT DRILLING VISUAL



PRODUCTION SITE



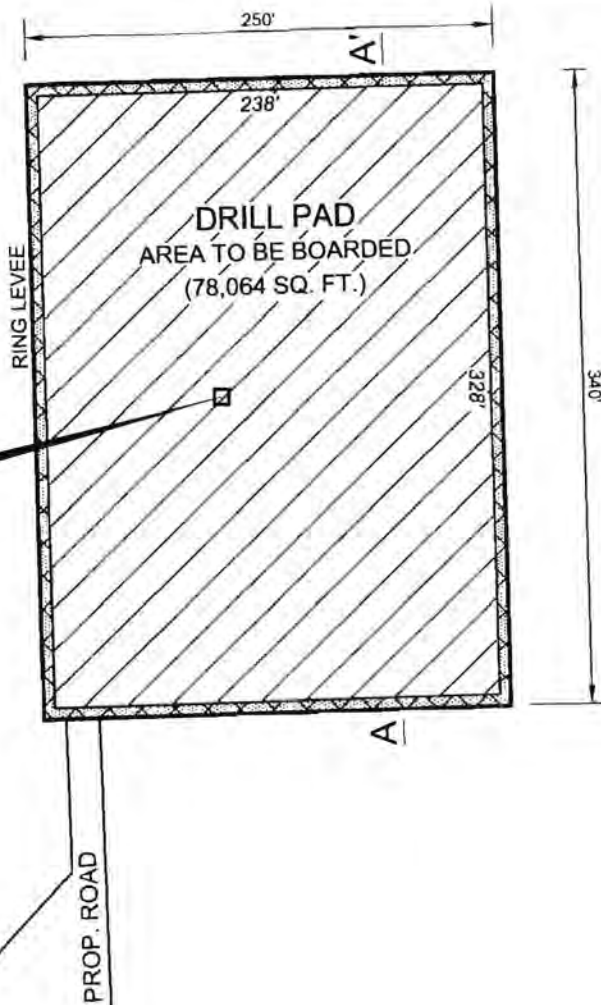
MAXIMUM OUTSIDE DIMENSIONS OF LEVEES SHALL NOT EXCEED 340' X 250'.

UPON ABANDONMENT OF LOCATION WETLANDS WILL BE RESTORED AS NEAR TO PREPROJECT CONDITIONS AS PRACTICABLE.

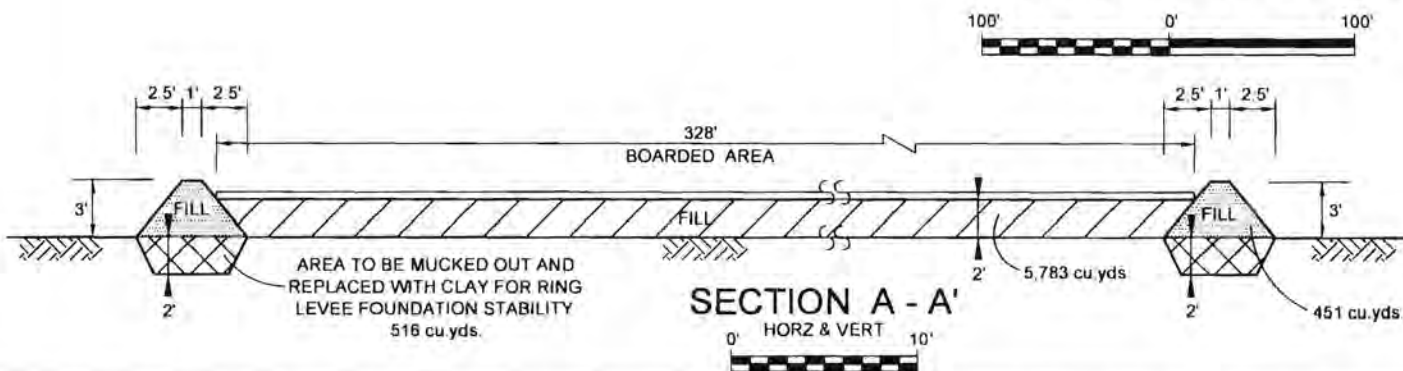
APPROX. 6,750 CU. YDS. (1.95 ACS.) OF FILL TO BE HAULED IN TO CONSTRUCT DRILL PAD & RING LEVEES.

A CLOSED LOOP SYSTEM WILL BE UTILIZED DURING DRILLING OPERATIONS

PROPOSED LOCATION	
X=	3,598,366' (83)
Y=	510,149'
Lat=	29°53'56.4"N
Lon=	90°19'52.2"W
X=	2,317,565' (27)
Y=	449,442'



TYPICAL DRILL SITE PLAN



HOUSTON ENERGY OPERATING, L.P.

1415 LOUISIANA, SUITE 2400

HOUSTON, TEXAS 77002

PROPOSED DRILL SITE & LOCATION

RIVER BEND PROSPECT

ST. CHARLES PARISH, LOUISIANA



JOB NO. 150270

DWG: REP

CHK: HEK

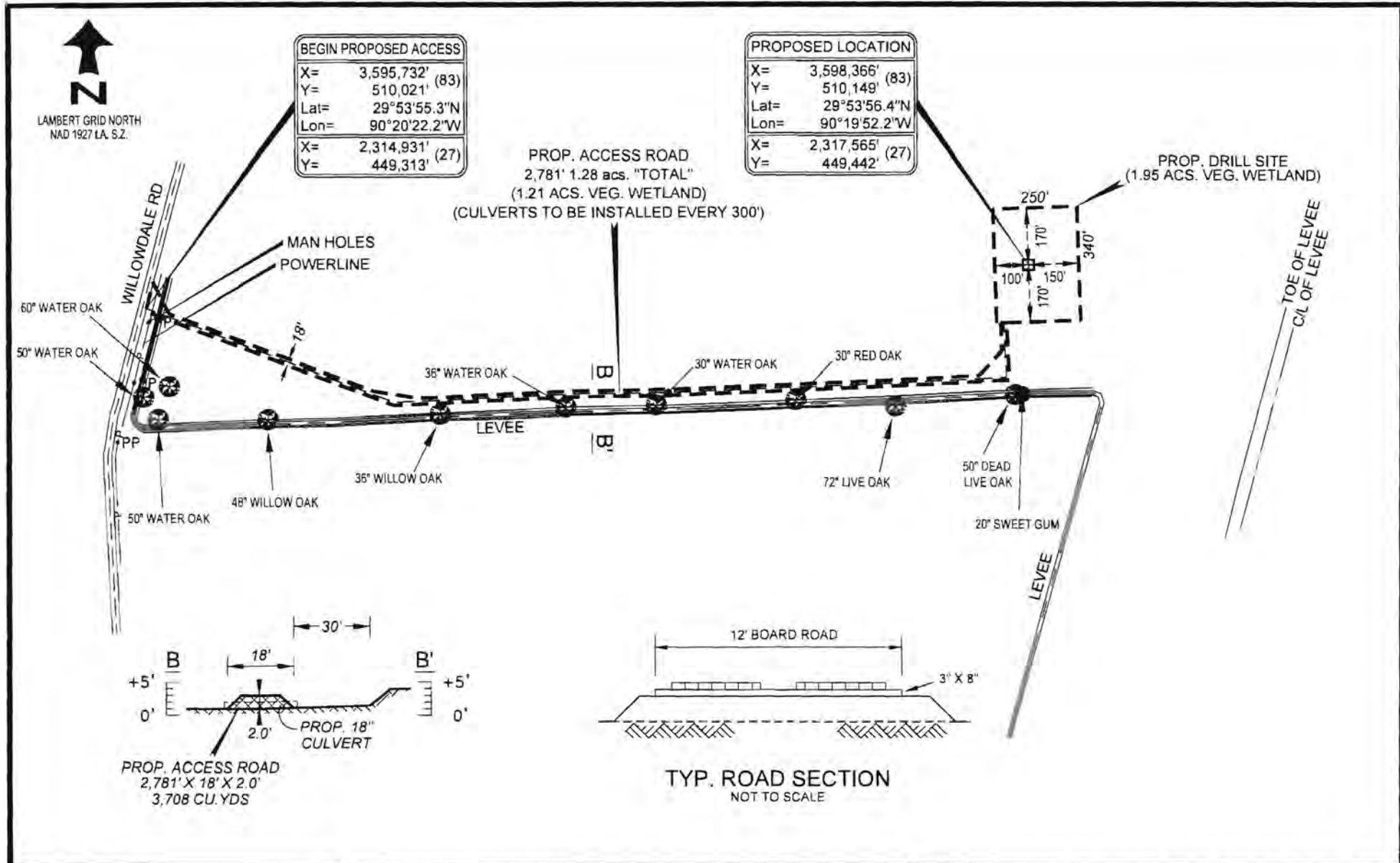
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DATE 6/30/2014

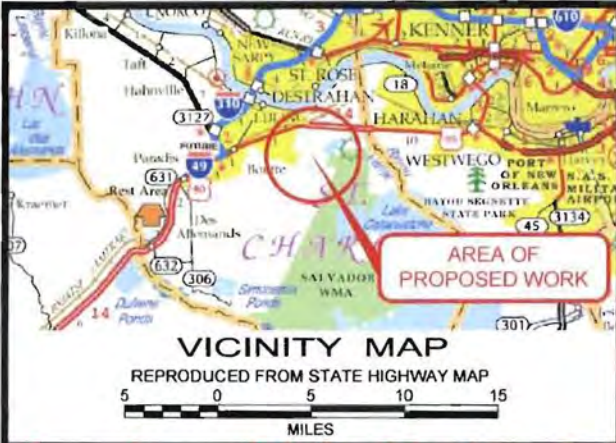
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10/30/2014
12/22/2014
4/6/2015

SHEET 3 OF 3



<p>PLAN</p> <p>SCALE IN FEET</p>	<p>HOUSTON ENERGY OPERATING, L.P.</p> <p>1415 LOUISIANA, SUITE 2400</p> <p>HOUSTON, TEXAS 77002</p>		<p>PROPOSED DRILL SITE & LOCATION</p> <p>RIVER BEND PROSPECT</p> <p>ST. CHARLES PARISH, LOUISIANA</p>																	
			<table border="1"> <tr> <td>JOB NO. 150270</td> <td>DWG: REP</td> <td>CHK: HEK</td> <td>REVISED: 10/28/2014</td> <td>DATE 6/30/2014</td> </tr> <tr> <td colspan="3">FILENAME: L:\14S21E\150270\150270A.DWG</td> <td>10/30/2014</td> <td rowspan="2">SHEET 2 OF 3</td> </tr> <tr> <td colspan="3"></td> <td>12/22/2014</td> </tr> <tr> <td colspan="3"></td> <td>4/6/2015</td> </tr> </table>		JOB NO. 150270	DWG: REP	CHK: HEK	REVISED: 10/28/2014	DATE 6/30/2014	FILENAME: L:\14S21E\150270\150270A.DWG			10/30/2014	SHEET 2 OF 3				12/22/2014		
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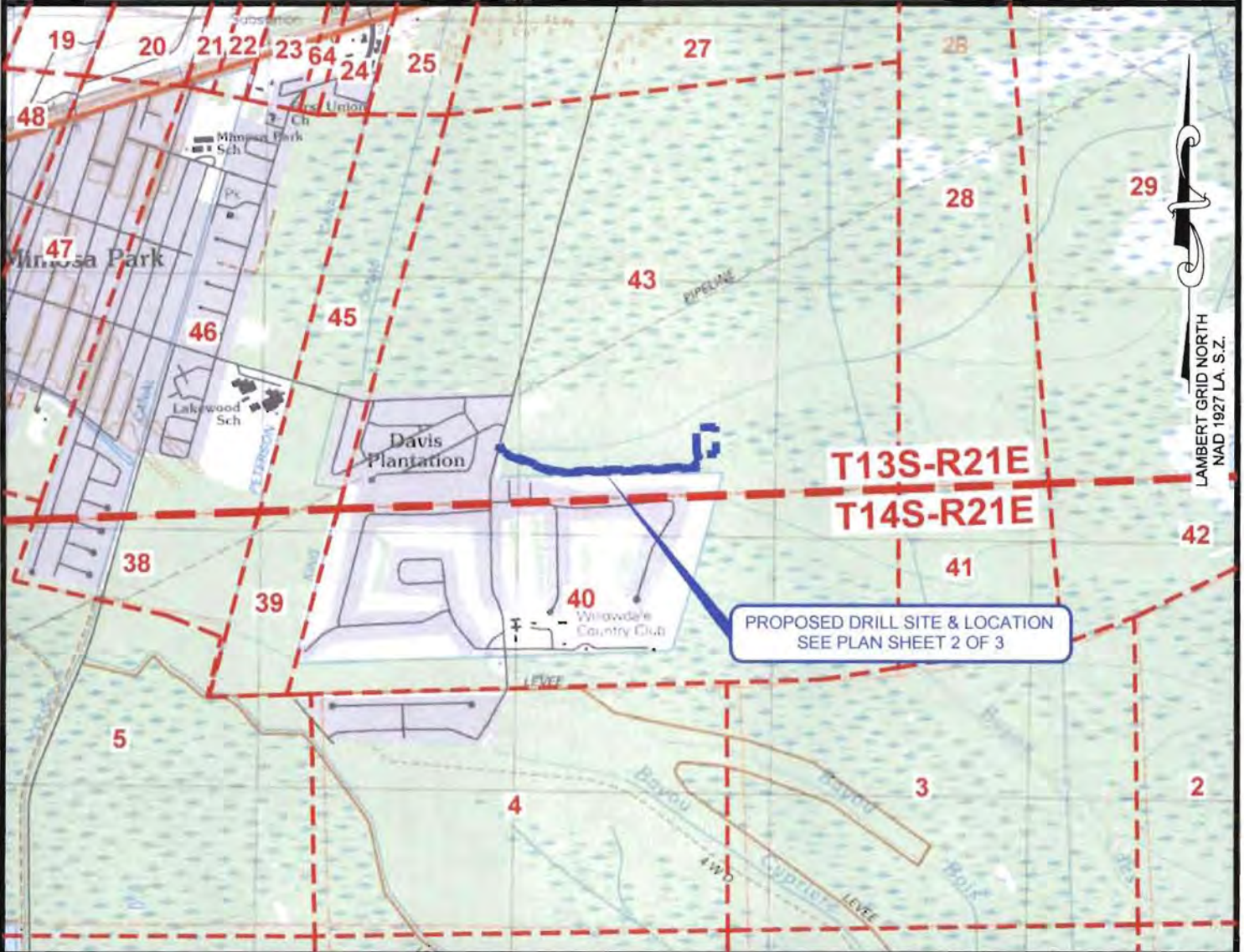


All structures, facilities, well and pipelines/flowlines shall be removed within 120 days of abandonment of the facilities for the herein permitted use. This condition does not preclude the necessity for revising the current permit or obtaining a separate Coastal Use Permit, should one be required, for such removal activities.

All structures will be marked and lighted in accordance with U.S Coast Guard regulations.

As-built drawings shall be submitted within 30 days of completion of this project to the Louisiana Department of Natural Resources, Office of Conservation, Pipeline Division, P.O. Box 94275, Baton Rouge, LA 70804 and to the Louisiana Department of Natural Resources, Coastal Management Division, P. O. Box 44487, Baton Rouge, La. 70804-4487.

Permittee shall contact Louisiana ONE CALL at 1-800-272-3020 forty-eight hours prior to excavation or demolition.



HOUSTON ENERGY OPERATING, L.P.

1415 LOUISIANA, SUITE 2400

HOUSTON, TEXAS 77002

PROPOSED DRILL SITE & LOCATION

RIVER BEND PROSPECT

ST. CHARLES PARISH, LOUISIANA



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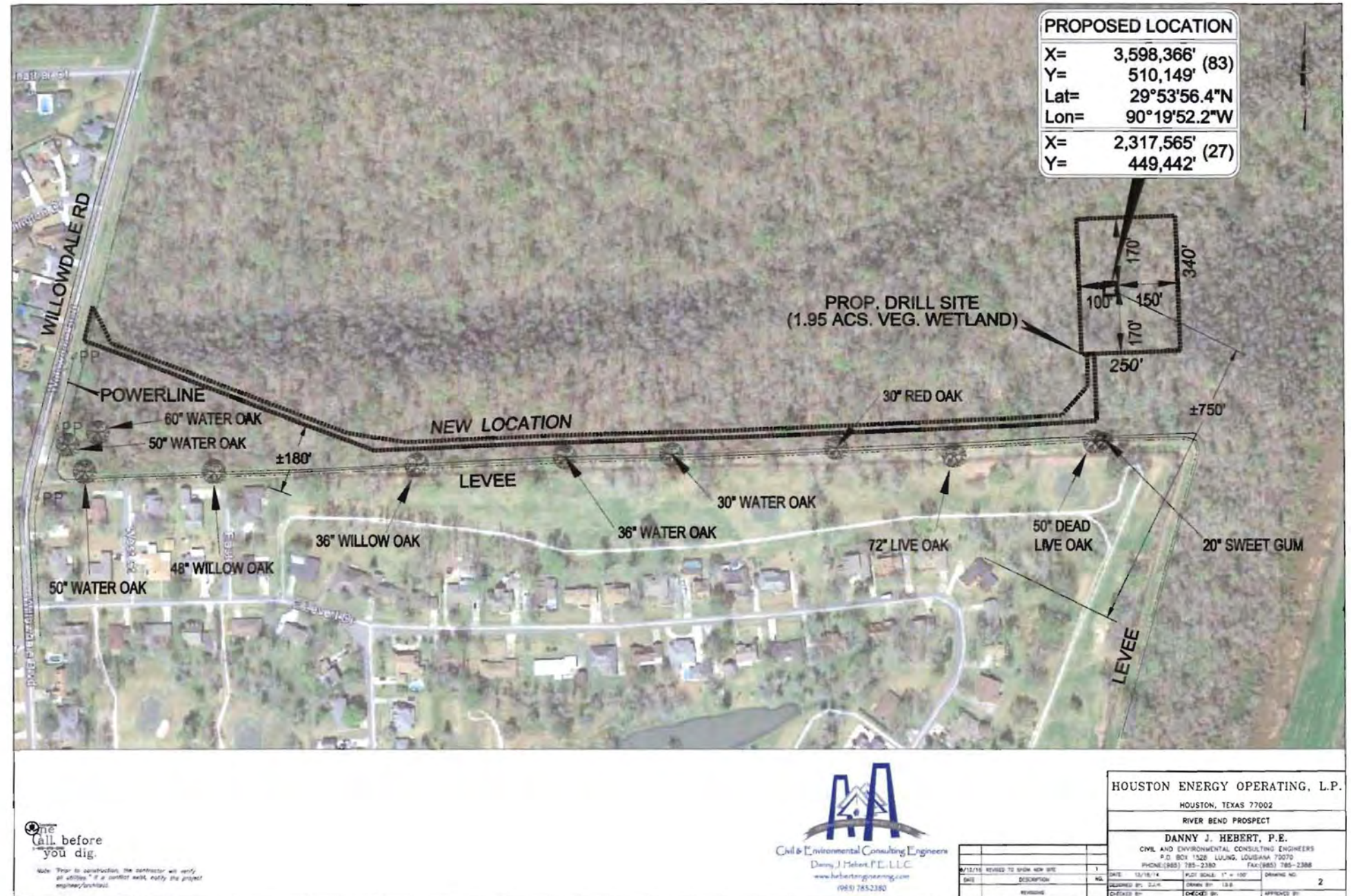
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SHEET 1 OF 3





500 Willowdale Boulevard
Luling, LA 70070
www.granridgегolf.com
Barbara Fuselier, President
504-382-8703

P.O. Box 1482
Luling, LA 70070

985-308-1640 Phone
985-308-1642 Fax

September 30, 2015

St. Charles Parish Dept. of Planning & Zoning
Planning & Zoning Commission
c/o Earl Matherne, Coastal Zone Manager
PO Box 52
Hahnville, LA 70057

Dear Commissioners:

On behalf of the Board of Managers of Cypress Forest Sports, LLC, d/b/a Grand Ridge Golf Club, I am writing this letter to express our support of Houston Energy's request to rezone the lands that cover their proposed access road and drilling location on lands owned by J. B. Levert.

Houston Energy has been very transparent and forthcoming in their efforts to effectively communicate with our Board of Managers and has met not only with us as a board, but also with other members of the community. They have heard our concerns and have worked to resolve the expressed concerns with diligence. While we would rather the access road be located further north of our golf course, we recognize that the Department of Natural Resources for the State of Louisiana along with the Army Corp of Engineers has forced them to use the route they are requesting. I fully expect that Houston Energy and its partners will operate at the highest standards of their industry, while being a "good neighbor" to our community.

In conclusion, I fully support the efforts of Houston Energy as they seek approval to rezone the site to Open Land and obtain the appropriate Special Permit Use for extraction of minerals and gas. They have proven to be effective communicators, professionals in their industry and we do not anticipate any negative effect on our property or club. Our club may actually benefit from the workers utilizing our café, beverage services and golf facilities!

Sincerely,

Barbara Fuselier

Barbara Fuselier, President
Cypress Forest Sports, LLC
d/b/a Grand Ridge Golf Club

St. Charles Parish

Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: PZSPU-2015-16

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicants:** Houston Energy / William Flores
1415 Louisiana Street, Ste. 2400
Houston, TX 77002
713.400.7774
bflores@houstonenergyinc.com
- ◆ **Location of Site:** North of Willowdale Subdivision, East of Willowdale Blvd.
- ◆ **Requested Action:** Mineral Extraction in a proposed O-L.

Application Date: 7/1/15

SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel:** 130,680 square feet (approx. 3 acres)
- ◆ **Plan 2030 Recommendation:** *Wetland.*
- ◆ **Existing Zoning and Land Use:** R-1A Zoning(proposed O-L); wooded and vacant
- ◆ **Surrounding Land Uses and Zoning:** R-1A zoning & with wooded vacant land to the North and East; R-1A zoning and land use to the South and West.
- ◆ **Utilities:** All utilities would have to be installed to the site from Willowdale Boulevard.
- ◆ **Traffic Access:** Willowdale Boulevard

APPLICABLE REGULATIONS

Appendix A, Section [VI.].C. [I.]O-L. Open Land District:

1.Use Regulations:

- c. Special permit uses and structures include the following:
 - (4) Extraction of oil and gas, minerals and other natural resources provided that criteria set forth by the St. Charles Parish Coastal Zone Management Section of the Planning and Zoning Department are met.

AND:

Appendix A, Section IV. 9.: Review and evaluation criteria/special permit use and special exception use: The appropriate decision-making agent and/or body shall review and evaluate each application based upon the following relevant criteria:

- a. Comparison with applicable standards established by the Comprehensive Land Use Plan as applied to the proposed use and site.
- b. Compatibility with existing or permitted uses on abutting sites, in terms of building construction, site development, and transportation related features.
- c. Potentially unfavorable effects or impact on other existing conforming or permitted uses on abutting sites, to the extent such impacts exceed those impacts expected from a standard permitted use in the applicable zoning district.
- d. Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonable and anticipated in the area considering existing zoning and uses in the area.

- e. Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.
- f. Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.
- g. Conformity with the objectives of these regulations and the general purposes of the zone in which the site is located.
- h. That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed use with existing or permitted uses in the same district and the surrounding area.

The above criteria listed in a—g is to be considered illustrative and not restrictive, and other criteria may be considered although not specifically listed above if said criteria affects [affect] the general welfare and safety of the public at large.

ANALYSIS

This request is to rezone a portion of wooded property currently zoned R-1A to O-L to allow for a Special Permit Use to prospect for gas from a conventional rig and drilling pad. The applicants started their process by applying for a US Army Corps of Engineers Permit and a Louisiana Department of Natural Resources Permit to locate a drilling pad at the end of 2014. The original application for those permits identified the board road on top of the existing levee North of Willowdale subdivision. Because of objections from the nearby residents and the Department of Public Works, an alternative location with the drilling pad and board road located nearly 600 feet to the north was submitted to the permit agencies and a Letter of No Objection was sent by the Parish Council. However, during review, a hydrologist with LADNR objected to the location of the board road, citing concerns about impounding water between it and the existing levee. Subsequently, Houston Energy submitted a third site plan, leaving the drilling pad in its northern location, but aligning the board road back near the levee, but angling to avoid the residences as a compromise. This proposal also appeared before the Parish Council and received a Letter of No Objection. The rezoning case PZR-2015-18 and the Special Permit Case PZSPU-2015-16 both reflect the third site plan described above.

The Future Land Use Map for the lot is *Wetland*. It could be argued that while this rezoning does not ask to zone the area as Wetland (W-1), that the O-L Zoning is a movement closer to the desired use, so the proposal is not incompatible with the FLUM so it **would comply to criteria a.**

Because of the industrial nature of the proposal in the vacant and residential area the project would not be compatible with existing or permitted uses on abutting sites, in terms of building construction, site development, and transportation related features particularly during the initial construction phase therefore **the proposal would not meet criteria b.**

Again because of the industrial nature of the proposal in the vacant and residential area the proposed project has potentially unfavorable effects or impact on other existing conforming or permitted uses on abutting sites, to the extent such impacts exceed those impacts expected from a standard permitted use in the applicable zoning district such as additional housing. **The proposal therefore does not meet criteria c.**

Previously expressed concerns about the heavy truck traffic associated with construction as well as the safety and convenience of vehicular and pedestrian circulation in the vicinity would be in question. This would include traffic reasonably expected to be generated by the proposed use, other uses anticipated in the area under the existing zoning, and uses currently underway in the area (including the ongoing levee construction that is already placing heavy construction activity on Willowdale Boulevard). **Therefore the proposal does not meet criteria d.**

Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts has been called into question with this project but if proper buffering is maintained, the impacts from the proposal should be minimal. The greatest potential with this project would be with noise from the drilling activity, but most should be buffered by the trees the applicant proposes to leave in place, however because the project is industrial in it nature, the potential still exists and has been identified as an issue of the residents, the **proposal therefore does not meet criteria e.**

The proposed site has adequate off-street parking and loading facilities and should have sufficient protection of adjacent property from glare of site lighting. **The proposal meets criteria f.**

The proposal does not conform with the objectives of these regulations and the general purposes of the zone in which the site is located in that the site has had to propose rezoning this site even to be able to apply for this special permit use. **The proposal does not meet criteria g.**

The applicant have shown that they are willing to adjust the project to meet public concerns, but are being force by another regulatory agency to locate the access to the project closer to the residents that either they or the resident would like. They have tried to adjust their project so that the conditions

applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed use with existing or permitted uses in the same district and the surrounding area. **The proposal meets criteria h.**

As previous stated to the St. Charles Parish Council, the proposal that moves the road several hundred feet to the north and pulls the construction traffic off of Willowdale Boulevard before passing in front of residents homes would address one if not all of the issues raised in the analysis.

DEPARTMENTAL RECOMMENDATION
Denial.

RIVERBEND PROSPECT DRILLING VISUAL



PRODUCTION SITE



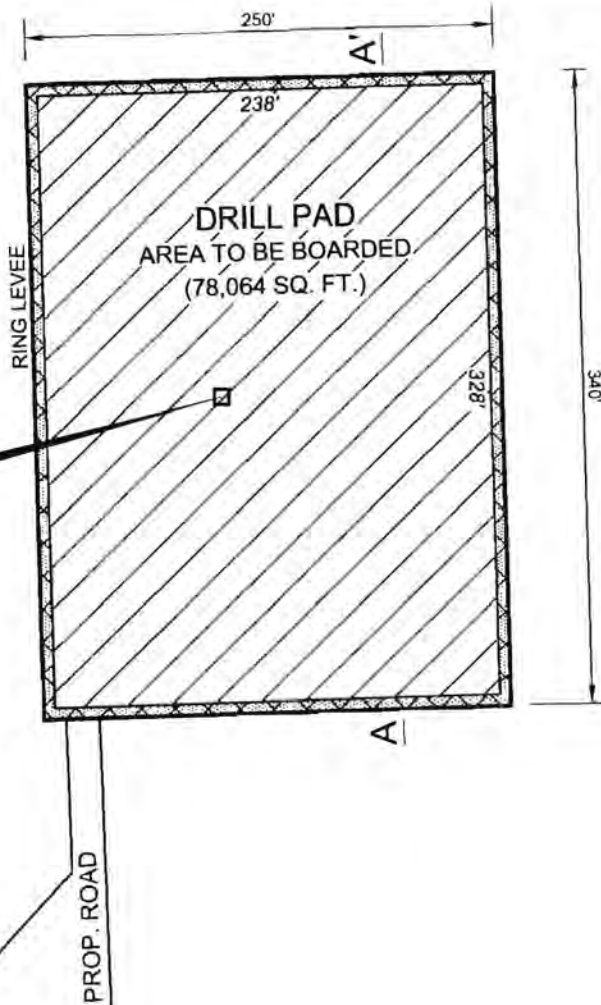
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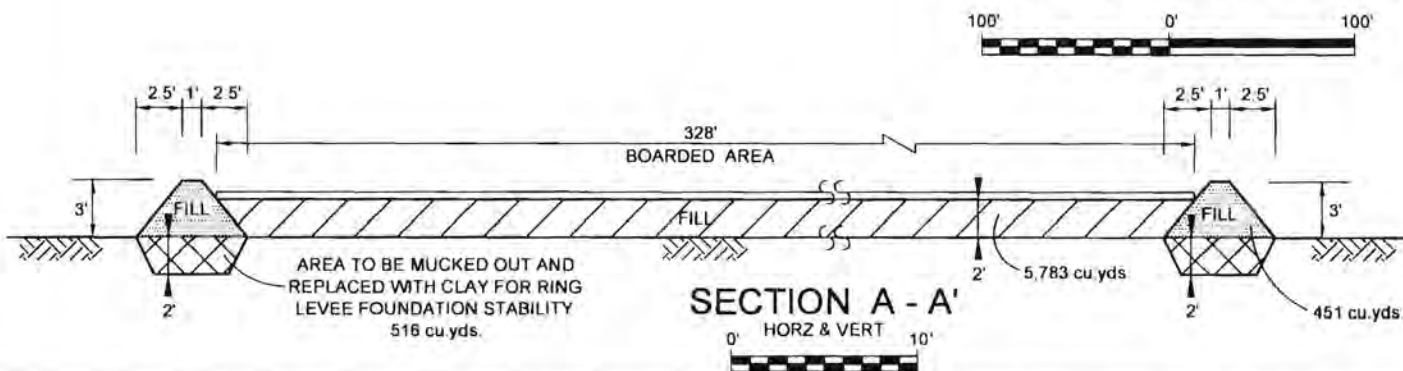
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A CLOSED LOOP SYSTEM WILL BE UTILIZED DURING DRILLING OPERATIONS

PROPOSED LOCATION	
X=	3,598,366' (83)
Y=	510,149'
Lat=	29°53'56.4"N
Lon=	90°19'52.2"W
X=	2,317,565' (27)
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TYPICAL DRILL SITE PLAN



HOUSTON ENERGY OPERATING, L.P.

1415 LOUISIANA, SUITE 2400

HOUSTON, TEXAS 77002

PROPOSED DRILL SITE & LOCATION

RIVER BEND PROSPECT

ST. CHARLES PARISH, LOUISIANA



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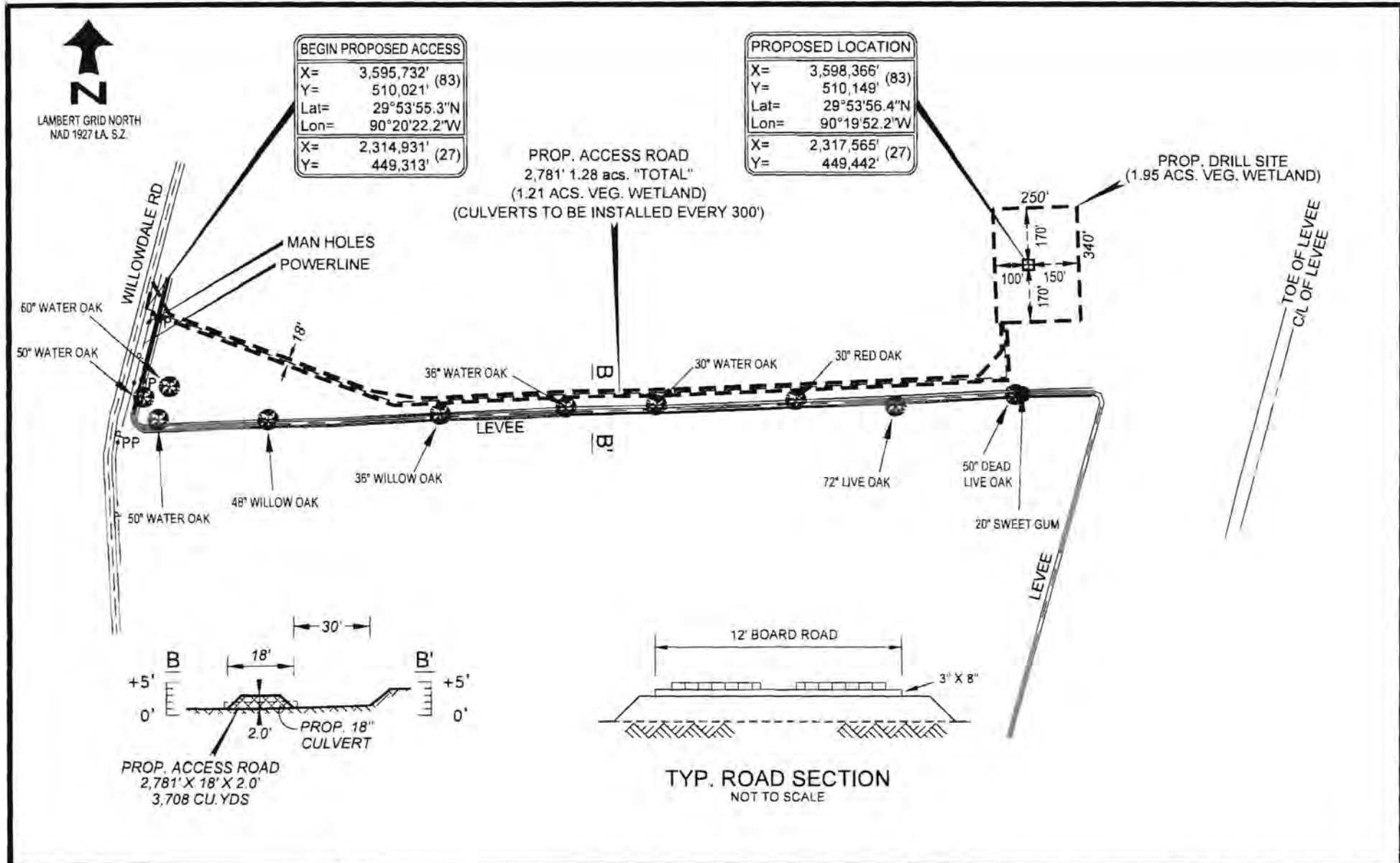
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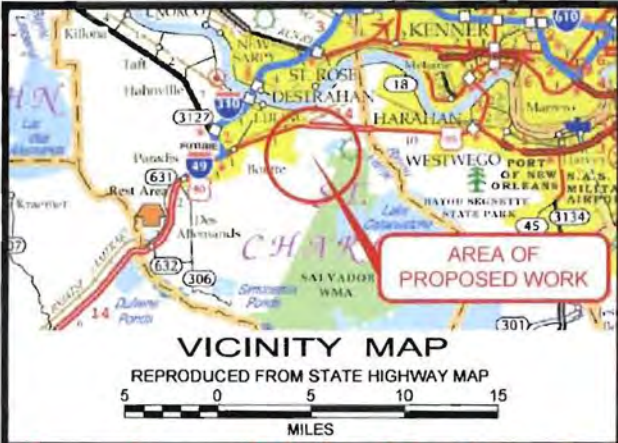
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SHEET 3 OF 3



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<p>C&C Technologies</p> <p>An Engineering International Company</p>																				

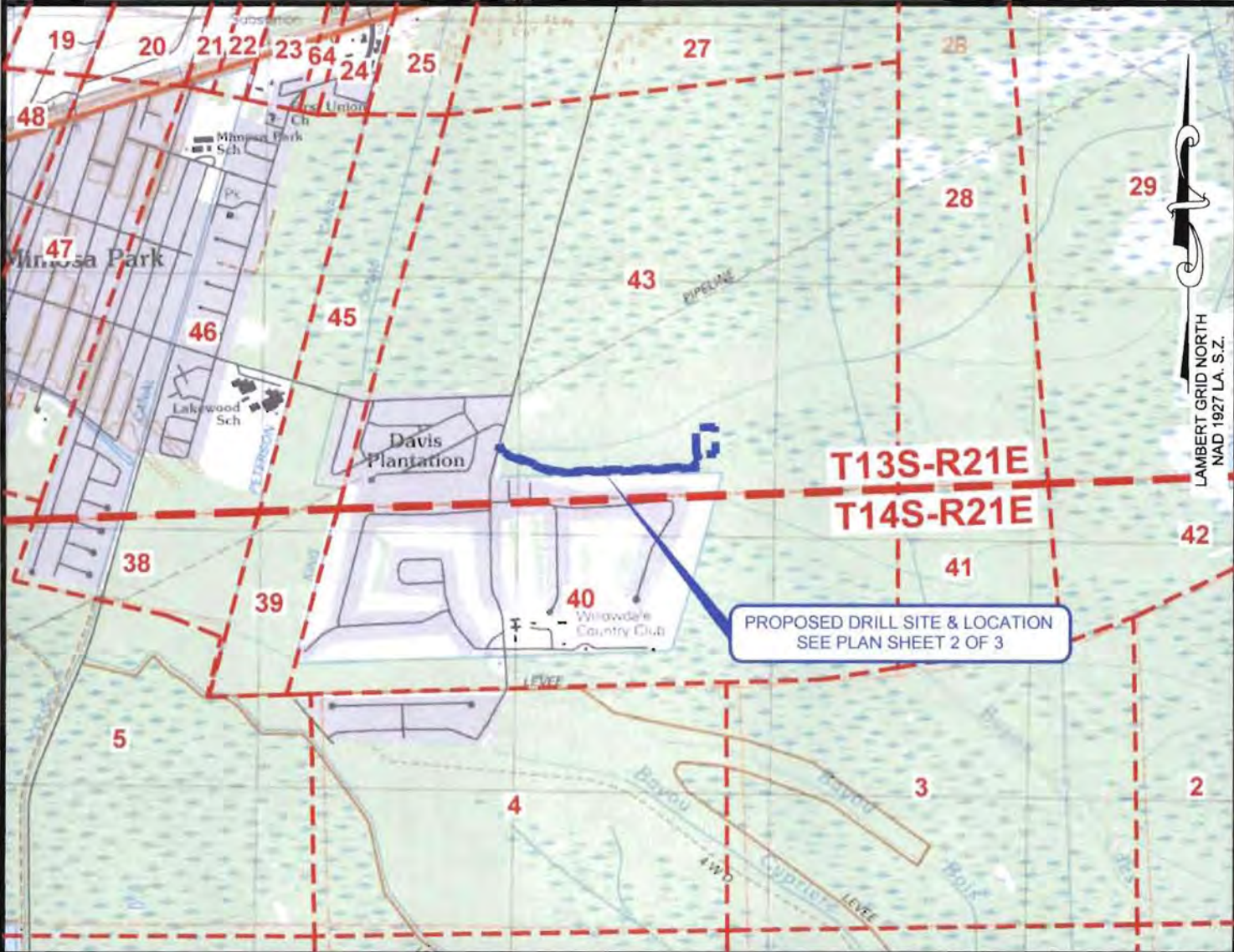


All structures, facilities, well and pipelines/flowlines shall be removed within 120 days of abandonment of the facilities for the herein permitted use. This condition does not preclude the necessity for revising the current permit or obtaining a separate Coastal Use Permit, should one be required, for such removal activities.

All structures will be marked and lighted in accordance with U.S Coast Guard regulations.

As-built drawings shall be submitted within 30 days of completion of this project to the Louisiana Department of Natural Resources, Office of Conservation, Pipeline Division, P.O. Box 94275, Baton Rouge, LA 70804 and to the Louisiana Department of Natural Resources, Coastal Management Division, P. O. Box 44487, Baton Rouge, La. 70804-4487.

Permittee shall contact Louisiana ONE CALL at 1-800-272-3020 forty-eight hours prior to excavation or demolition.



HOUSTON ENERGY OPERATING, L.P.

1415 LOUISIANA, SUITE 2400

HOUSTON, TEXAS 77002

PROPOSED DRILL SITE & LOCATION

RIVER BEND PROSPECT

ST. CHARLES PARISH, LOUISIANA



JOB NO. 150270

DWG: REP

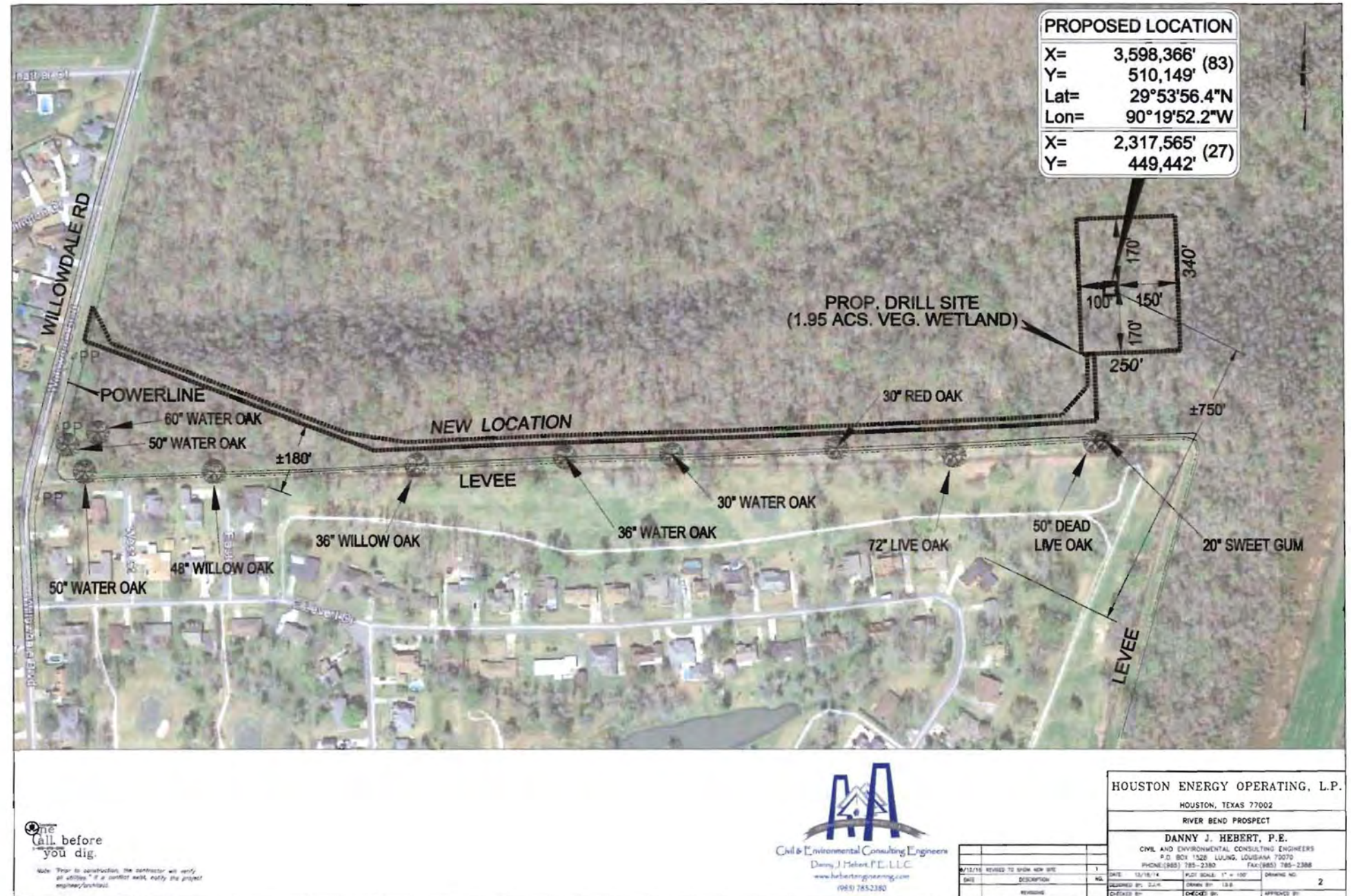
CHK: HEK

REVISED: 10/10/2014
10/30/2014
12/22/2014
4/6/2015

DATE 6/30/2014

FILENAME: L:\14S21E\150270\150270.DWG

SHEET 1 OF 3





500 Willowdale Boulevard
Luling, LA 70070
www.granridgегolf.com
Barbara Fuselier, President
504-382-8703

P.O. Box 1482
Luling, LA 70070

985-308-1640 Phone
985-308-1642 Fax

September 30, 2015

St. Charles Parish Dept. of Planning & Zoning
Planning & Zoning Commission
c/o Earl Matherne, Coastal Zone Manager
PO Box 52
Hahnville, LA 70057

Dear Commissioners:

On behalf of the Board of Managers of Cypress Forest Sports, LLC, d/b/a Grand Ridge Golf Club, I am writing this letter to express our support of Houston Energy's request to rezone the lands that cover their proposed access road and drilling location on lands owned by J. B. Levert.

Houston Energy has been very transparent and forthcoming in their efforts to effectively communicate with our Board of Managers and has met not only with us as a board, but also with other members of the community. They have heard our concerns and have worked to resolve the expressed concerns with diligence. While we would rather the access road be located further north of our golf course, we recognize that the Department of Natural Resources for the State of Louisiana along with the Army Corp of Engineers has forced them to use the route they are requesting. I fully expect that Houston Energy and its partners will operate at the highest standards of their industry, while being a "good neighbor" to our community.

In conclusion, I fully support the efforts of Houston Energy as they seek approval to rezone the site to Open Land and obtain the appropriate Special Permit Use for extraction of minerals and gas. They have proven to be effective communicators, professionals in their industry and we do not anticipate any negative effect on our property or club. Our club may actually benefit from the workers utilizing our café, beverage services and golf facilities!

Sincerely,

Barbara Fuselier

Barbara Fuselier, President
Cypress Forest Sports, LLC
d/b/a Grand Ridge Golf Club

St. Charles Parish

Department of Planning & Zoning

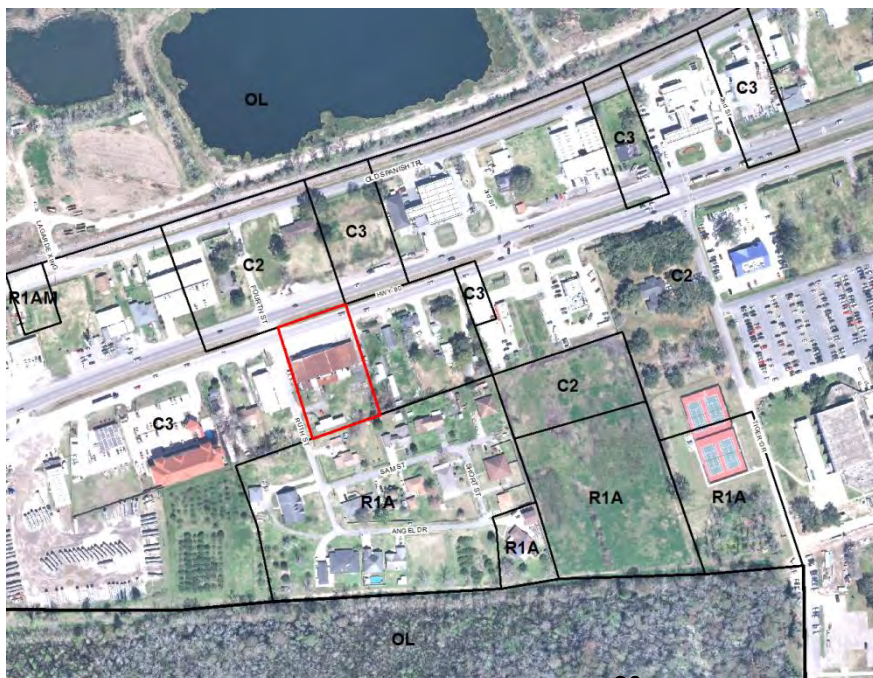
LAND USE REPORT: PZR-2015-19

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:** **Application Date: 8/6/15**
David Folse
3725 West Grandlake Avenue
Kenner, LA 70065
Cell: 504.274.6725; email: davidfolse70006@yahoo.com
- ◆ **Location of Site:**
Lots 7, 8, 9, 10, & 11 Block 6 of Mosella Townsite; 14199 Highway 90 and 101 Ruth Street, Boutte.
- ◆ **Requested Action:**
Rezone from C-3 to M-1
- ◆ **Applicant's stated intent:**
To permit Surecatch Industries, a licensed arborist, to manufacture & sell firewood and oil absorbent materials.

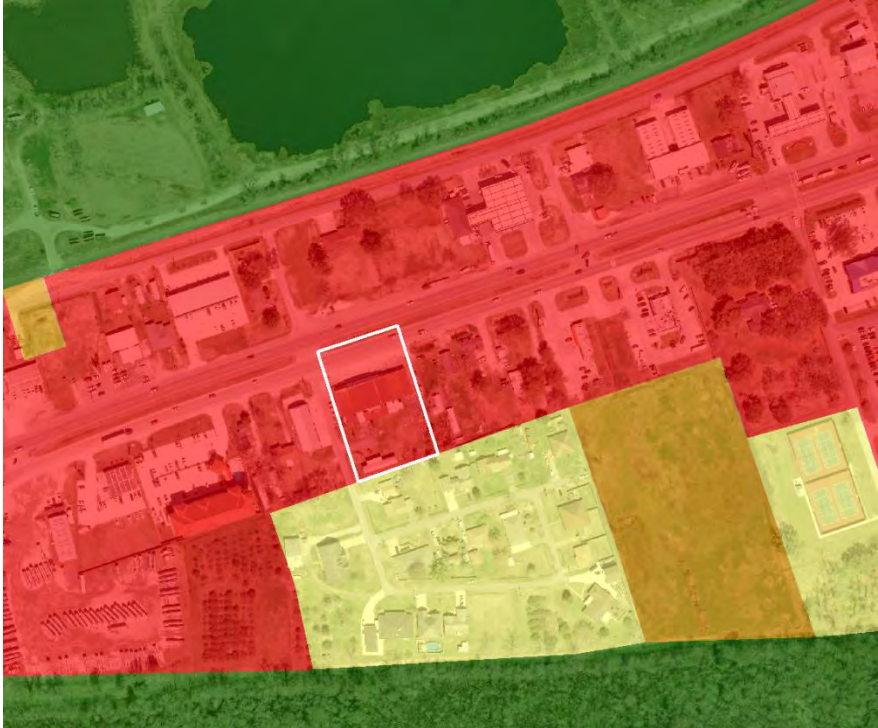
SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel:**
The lots were platted to be 46,800 square feet; however, it appears that nearly 6,800 square feet was sold to La DOTD in 1962 leaving approximately 40,000 square feet.
- ◆ **Existing Land Use and Zoning:**
All five of the lots are zoned C-3. Lots 7 & 8 are developed with a commercial building that has been vacant for a decade. Lots 9 & 10 are developed with the property owner's residential mobile home. Lot 11 was developed with a mobile home at one time, but currently has no structures.
- ◆ **Surrounding Land Uses and Zoning:**
Single-family residences abut across Hwy 90, or to the north (C-2 zoning), and east (C-3 zoning) and south (R-1A zoning). Abutting to the west is a church (C-3 zoning). The site is in Moselle Town site. Platted in 1938, the subdivision is a mix of residential and commercial uses on a major interstate highway. The community is bounded on the north by Old Spanish Trail and the Burlington Northern Santa Fe railroad; to the south by wetlands. A subdivision of 15 single-family residences zoned R-1A (Angel Park) abuts the subject site immediately to the south. Properties with highway frontage are zoned C3 to the west, C2 to the east and are developed with general commercial uses (restaurants, convenience gas stations, professional offices, a hotel, a dental clinic, a truck terminal, Hahnville High School) and scattered housing.



◆ **Future Land Use Recommendations:**

The Future Land Use Map (FLUM) recommends general commercial for the property.



◆ **Utilities:**

Standard power, water, and telecommunication utilities are available along Highway 90; drainage and sewer are available but improvements will have to be made at the developer's expense.

◆ **Traffic Access:**

The site has 180' of frontage on US Hwy 90 and at least 90' of frontage on Ruth Street. It is likely that the building encroaches on the required building setbacks and that area considered parking is on the US 90 and Ruth Street rights of way.

APPLICABLE REGULATIONS

Appendix A., Zoning Ordinance, Section XV Amendment Procedure:

- D. Rezoning Guidelines and Criteria: Before the Commission makes a recommendation or the Council rezones property; there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:
1. The proposed rezoning conforms to land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zoning that is incompatible with the surrounding neighborhood.
 2. The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant’s property. One or more of following examples may be used in evaluating reasonableness:
 - a. Consideration of uses on adjacent properties that would limit the use of the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects which can be shown to limit the usefulness of vacant land or buildings.
 3. Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.
- The Planning Staff shall base rezoning analyses on these criteria but shall not be prohibited from factoring unique circumstances of the application into the analysis. The Planning and Zoning Commission may state in its recommendations to the Council: its concurrence with, or rejection of, any or all of the proponents' case for the suggested amendment, and/or its position relative to proponents' statements on the case. Planning Staff analyses and recommendations shall be forwarded to the Council along with the Commission's recommendations.

AND

Manufacturing and industry districts—The regulations in these districts are as follows.

[I.] *M-1 Light manufacturing and industry district:*

1. Use Regulations: A building or land may be used for the following purposes if in accordance with the special provisions outlined below.
 - a. A building or land shall be used only for the following purposes:
 - (1) Those uses identified as items 2 through 27~~26~~ listed in the C-3 District.

- (2) Office parks which shall include groups or clusters of administrative, professional, and other business offices as well as individual banks and restaurants.
 - (3) Agriculture and other general farming uses.
 - (4) Warehousing and storage of nonhazardous material.
 - (5) Assembly plants.
 - (6) Bottled gas sales and/or service.
 - (7) Food processing plants.
 - (8) Cellophane products manufacturing.
 - (9) Cold storage or refrigerating plants.
 - (10) Electrical parts manufacturing and assembly.
 - (11) Fiber products manufacturing (previously prepared fiber).
 - (12) Garment manufacturing.
 - (13) Glass products manufacturing.
 - (14) Ironwork (no foundry, drop hammer, and no punch presses over twenty (20) tons capacity).
 - (15) [Repealed by Ord. No. 92-1-1, § I, 1-21-92.]
 - (16) Leather products manufacturing (previously prepared leather).
 - (17) Machinery equipment sales and service.
 - (18) Millwork.
 - (19) Paint mixing and treatment (not employing a boiling process).
 - (20) Paper products manufacturing (previously prepared material).
 - (21) Plastic products manufacturing (previously prepared material).
 - (22) Sheet metal products manufacturing (light).
 - (23) Sign manufacture.
 - (24) Open storage of building material, lumber, machinery and pipe, provided the material is enclosed within a solid fence at least six feet high within required building lines when the storage area is adjacent to or across the street from an A, R, or C District.
 - (25) Railroad freight terminals, switching and classification yards, repair shops, roundhouse, power houses and fueling, sanding and watering stations.
 - (26) Television and radio broadcasting transmitters.
 - (27) Textile products manufacturing.
 - (28) Toy manufacturing.
 - (29) Well drilling services.
 - (30) Wood products manufacturing (assembling work and finishing).
- (Ord. No. 87-6-13, 6-15-87; Ord. No. 88-11-20, 11-28-88)

b. Special exception uses and structures (variation):

- (1) Temporary construction facilities for a period of one (1) year upon approval of the Planning Director. (Ord. No. 88-9-9, 9-6-88)

c. Special permit uses and structures include the following:

- (1) Office buildings for gambling operations, excluding all gaming activities, upon review and approval by the Planning Commission and supporting resolution of the Council.
- (2) Operations which store or utilize hazardous materials identified through guidelines contained in subsection VI.D.I.4.b. of these regulations upon review and approval of the Planning Commission and supporting resolution of the Council. (Ord. No. 96-5-17, § II, 5-20-96)
- (3) Cellular installations and PCS (personal communication service) installations.
- (4) Truck terminals (with video poker gaming facilities) upon review and approval of the Planning Commission, and supporting resolution of the Council (Ord. No. 98-4-17, § IV, 4-20-98). Truck terminals with video poker gaming facilities shall conform to the regulations set forth by the state of Louisiana and to the following regulations:
 - (1) Frontage shall be on a median-divided, major arterial with a minimum of 4-roadway lanes, and having federal or state designation.
 - (2) Minimum lot size of site shall be ten (10) acres.
 - (3) Truck terminals with video poker gaming facilities shall also have all of the following amenities: [restrictions omitted].
 - (5) *Towing yard*. Towing yards, upon review and approval by the Planning Commission and supporting resolution of the Council, shall conform to the following regulations:
 - (6) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street. (Ord. No. 03-1-12, § V, 1-21-03)
 - (7) Barrooms, night clubs, lounges and dancehalls upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (8) Automotive racing tracks and strips upon receiving a recommendation of the Planning and Zoning Commission and an ordinance granting approval by the Parish Council.

(9) Disposal and/or deposition of directional boring slurry upon receiving a recommendation by the planning and zoning commission and an ordinance granting approval by the parish council. The requirement for a special permit shall not apply to directional boring associated with oil and gas production, nor shall it apply to the incidental or accidental deposition at the site of the boring.

2. Spatial Requirements:

a. Minimum lot size: Ten thousand (10,000) square feet.

Minimum width: One hundred (100) feet. (Ord. No. 99-2-4, § I, 2-1-99)

b. Minimum yard sizes:

(1) Front - twenty-five (25) feet

(2) Side - fifteen (15) feet

(3) Rear - twenty-five (25) feet.

(4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999. (Ord. No. 08-8-9, § XIII, 8-18-08)

3. Transportation System: Arterial, rail, water.

4. Special Provisions:

a. No manufacturing operations within the M-1 zoning district shall emit odors, gas or fumes

beyond the lot line or produce a glare beyond the lot line. All facilities shall be dust-proofed

including walkways, driveways and parking areas. All operations must be conducted within a

building or within an area enclosed on all sides by a solid fence or wall no less than six (6) feet in

height. (Ord. No. 89-2-13, 2-20-89; Ord. No. 05-5-2, 5-2-05)

b. Where any industrial or commercial use in an M-1 zoning district abuts any residential district or use, a six-foot high solid wood or vinyl fence or masonry wall shall border the same and there shall be a buffer strip fifteen (15) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones unless the Planning and Zoning Department shall require a greater buffer strip. (Ord. No. 05-5-2, 5-2-05)

c. The use(s) shall not receive, process, or create hazardous materials which are listed on the latest National Toxicology Programs Annual Report on Carcinogens, SARA Title III section 302 (EHS), and/or SARA Title III Section 313 (toxicity) without a special permit as identified in section VI.D.[I].1.c of this ordinance. Whenever a proposed development or expansion involves chemical processing or storage on a site in an M-1 zoning district and the uses do not require a special permit as identified in section VI.D.[I].1.c of this ordinance, certification shall be furnished by a chemical engineer, registered in the State of Louisiana and approved by the Parish of St. Charles, that materials associated with the enterprise do not appear on cited hazardous material lists. Those chemicals or materials which are permitted under this regulation either by special permit or certification of compliance, shall be stored in accordance with the National Fire Protection Association Flammable and Combustible Liquids Code (NFPA 30 1990), or amended version. With regard to placement of allowable materials on site, the minimum distance in feet from property line which is or can be built upon, including the opposite side of a public roadway, shall be two times the minimum distances required by NFPA 30. In the event the distances required by this paragraph exceed the minimum distances required by NFPA 30, then the requirements of this paragraph shall govern.

ANALYSIS

The applicant requests rezoning the property from C-3 to M-1 to permit Surecatch Industries, a licensed arborist that wishes to process trees to firewood for retail sale. The business is currently domiciled in Kenner. Surecatch representatives are in the process of applying for an occupancy permit for a second aspect of the business, warehousing and sales of oil absorbent materials for cleaning up spills. It was determined that the warehousing, wholesaling, and retail activities can be permitted in the C-3 land use zone when the site plan and any building renovations are complete. If the property is rezoned to M-1 Surecatch will be able to offer additional arborist services and environmental services. The resident property owner has endorsed the rezone request.

The zoning ordinance was recently amended by the Parish Council to modernize the evaluation process for a rezone request so that it reflects the work completed in the Comprehensive Land Use Plan (ordinance 15-7-5 adopted July 6, 2015). The new review criteria state that before the Commission makes a recommendation on a rezone request, there should be reasonable factual proof that one or more of three guidelines or criteria are met.

The first guideline asks whether the rezone will comply with the Future Land Use Map of the Comprehensive Land Use Plan or if it will create a spot zone. The Future Land Use Map indicates this

property and the Hwy 90 corridor through Mosella as General Commercial. The Plan offers the following description of General Commercial:

The General Commercial category includes sites for commercial uses that provide a mix of business and that serve the community as a whole. These uses provide for comparison shopping and services which are ordinarily obtained on an occasional rather than daily basis. In general, this designation applied to most commercial uses that are permitted in the C-2 (General Commercial-Retail) and all of the uses permitted in the C-3 (Highway Commercial) zoning districts (p65).

The plan encourages the development of Employment Centers with light industrial land uses which are described as follows:

This designation (Light Industrial) includes such uses as warehouse and distribution activities, as well as office uses, repair facilities, light assemble and light manufacturing activities that do not involve emission of odors, dust, fumes, or excessive noise, consistent with the uses in the M-1 Light Manufacturing and Industrial zoning district (p. 64).

The zoning code modernization also defines a spot zone as follows:

Rezoning a lot or parcel of land which gives to a single lot or a small area privileges not extended to other land in the vicinity and which is not done in furtherance of the comprehensive plan or to serve the best interest of the community.

The request does not comply with the Future Land Use Map, and a rezone of the property to the M-1 would be a spot zone (of light industrial in a commercial area).

The second guideline asks whether the land-use pattern or character has changed to the extent that C-3 zoning no longer allows reasonable use of the property. The department finds that C-3 allows reasonable use of the property. Not only has there been investment and development in the C3 zoning district in the immediate area in recent years, but the applicant currently is in the process of permitting warehousing, wholesaling, and retailing on the subject property. Mosella Town Site appears to be transitioning from residential to highway commercial, and recent investment and development in the area for hotel and personal services uses suggest that the C-3 zoning offers reasonable use of the subject property. Considering the remaining residential uses of Mosella Town Site abutting the subject property along the highway corridor and also those residential uses in Angel Park Subdivision abutting to the south, a rezone to M-1 would be premature. The vacant building on the site may be vacant because it has not been upgraded to accommodate modern C-3 uses—this is a property maintenance issue rather than a decline in land value, or a change in the physical environment of the area or economic disinvestment in the area—there has been investment in C-3 uses in the area in recent years.

The third guideline asks whether potential uses permitted by the proposed rezoning will be incompatible with existing neighborhood character or will overburden public facilities and infrastructure. Not only do M-1 uses have the potential to adversely impact adjacent residences on the east and south sides of the property, but the site, as developed, may not have adequate land to install the required fencing or landscape buffering from existing adjacent residential uses on the east—there may be adequate space along the southern property line. The applicant does not have a current survey of the property, but the building does not appear to meet M-1 required yards/building setbacks from either US 90 or Ruth Street. If the property is zoned M-1 and the developer wishes to use the existing building, it is likely that variances will be required to develop and use the site for M-1 uses.

The department finds that the requested rezone to M-1 would create a spot zone that is incompatible with the Future Land Use Map and may be detrimental to the surrounding neighborhood.

DEPARTMENTAL RECOMMENDATION
Denial.

MAP OF MOSELLA TOWNSITE

LOCATED IN SEC. 2 T.14 S. R.20 E. SOUTH EASTERN
DISTRICT OF LA. W. OF MISS. RIVER ST. CHARLES
PARISH LOUISIANA. CERTIFIED TO BE CORRECT AND
IN CONFORMITY WITH SURVEY MADE BY ME

NEW ORLEANS, LA.
JULY 27, 1938
C.E. AND SURVEYOR

SCALE - 1"=100'

WE, THE UNDERSIGNED OWNERS OF THE TOWNSITE SHOWN
HEREON, DO HEREBY FORMALLY DEDICATE TO AND FOR PUBLIC
USE, THE STREETS IN SAID TOWNSITE.

NEW ORLEANS, LA.
MATTHEW J. Thompson
J. H. G. G. G.

I, M. E. LANDRY, ENGINEER FOR THE PARISH OF ST. CHARLES
LOUISIANA, DECLARE THAT THE PLAN OF TOWNSITE SHOWN
HEREON CONFORMS TO THE PROVISIONS OF ACT 51 OF THE
LEGISLATURE OF 1930 AND ORDINANCES OF THE POLICE
JURY, THE SAME IS HEREBY APPROVED.

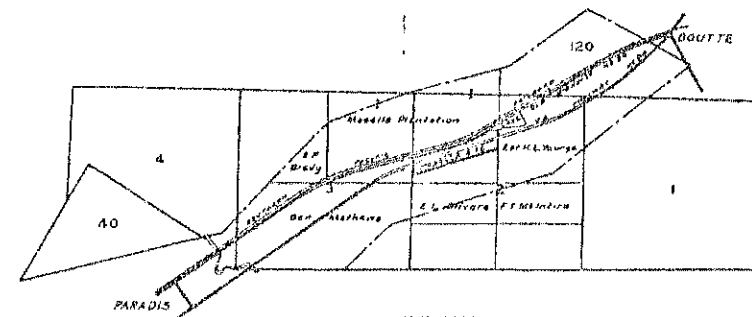
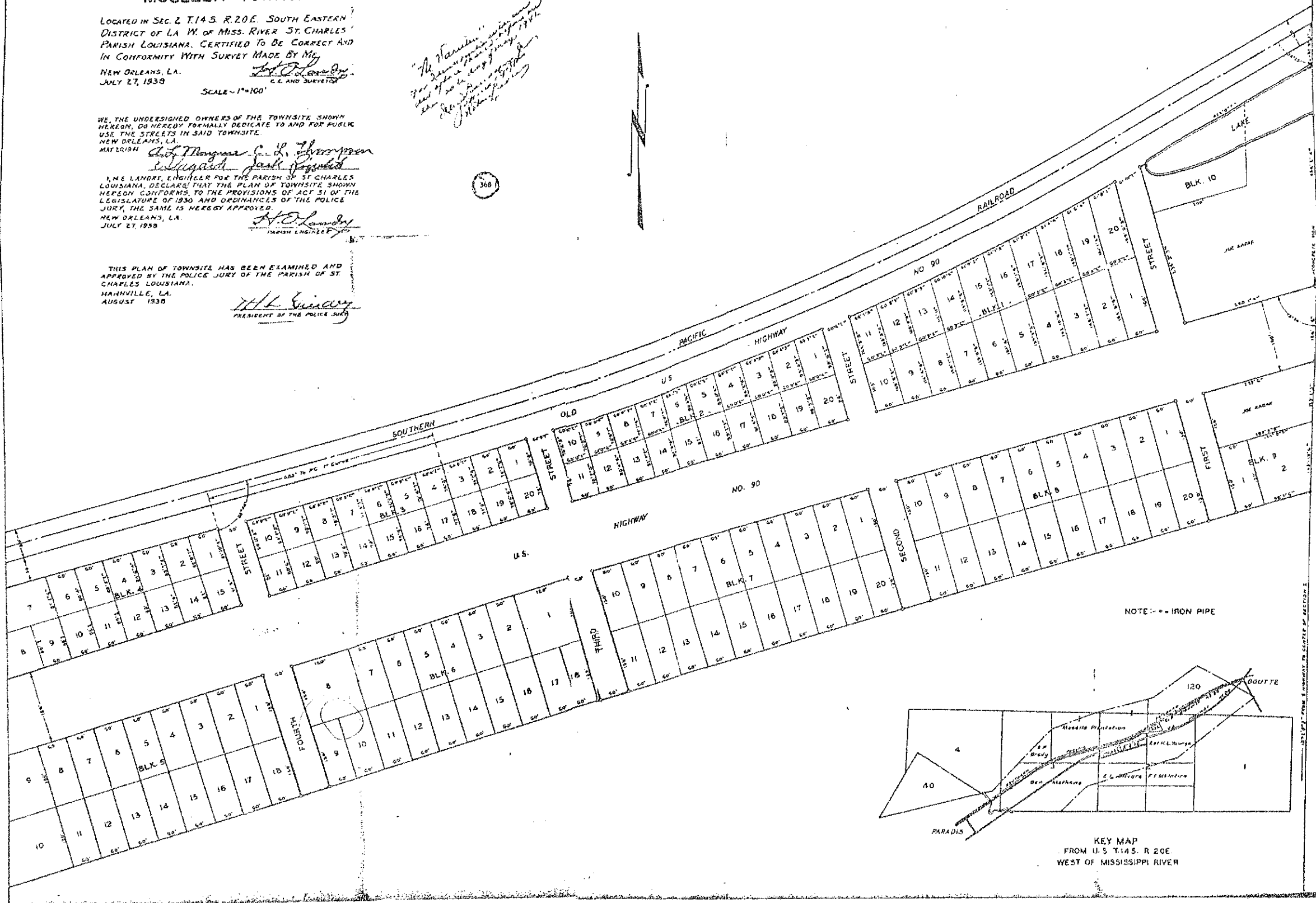
NEW ORLEANS, LA.
JULY 27, 1938
M. E. Landry
PARISH ENGINEER

THIS PLAN OF TOWNSITE HAS BEEN EXAMINED AND
APPROVED BY THE POLICE JURY OF THE PARISH OF ST.
CHARLES LOUISIANA.

HAHNVILLE, LA.
AUGUST 1938
H. L. Givens
PRESIDENT OF THE POLICE JURY

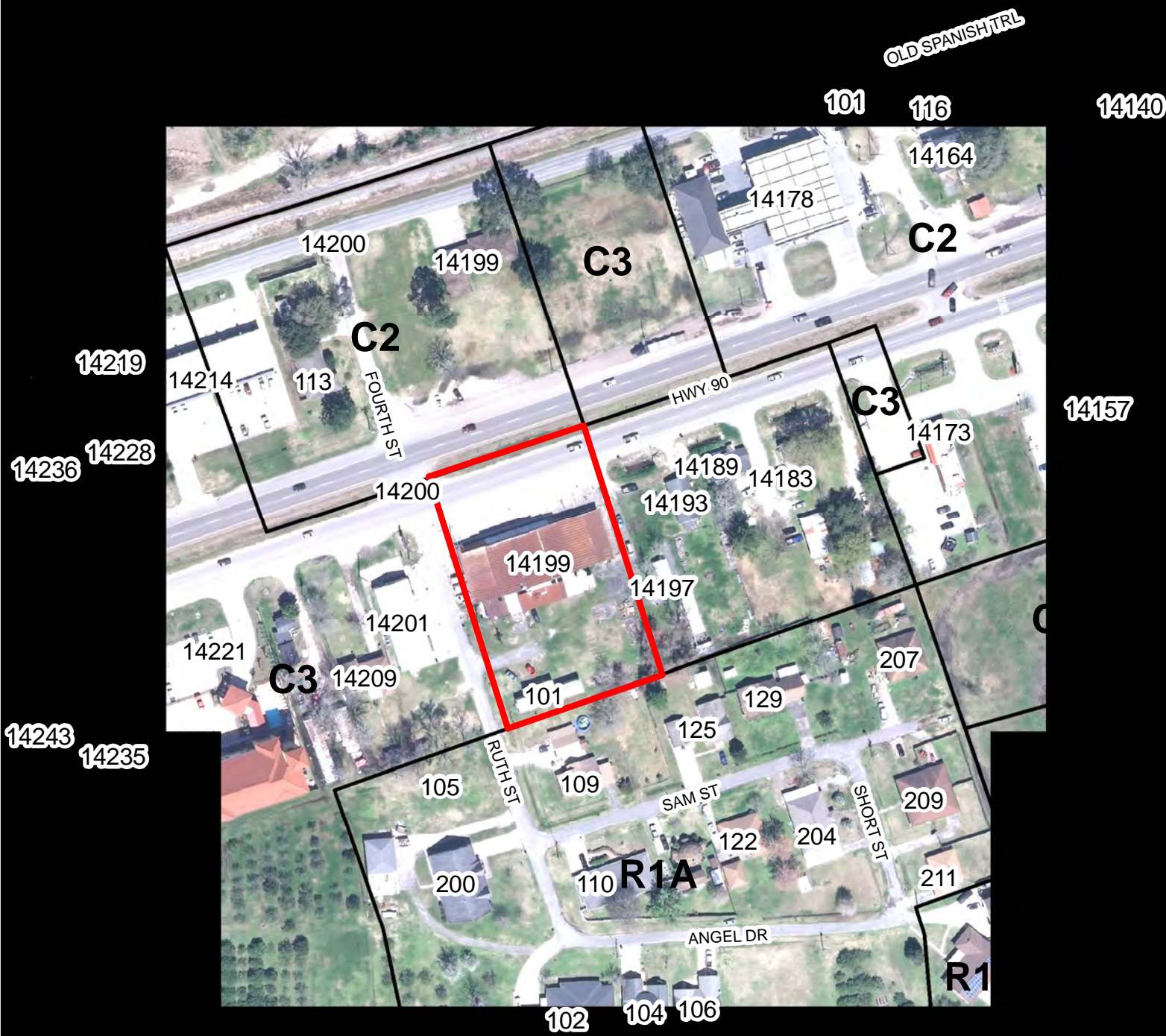
*"The Plan is
for the purpose of
showing the location
of the streets in the
townsite of Mosella
and the location of the
streets in the townsite
of Mosella."*

368



KEY MAP
FROM U.S. T.14 S. R.20 E.
WEST OF MISSISSIPPI RIVER

PZR 2015-19
Requested by David Folse
For a change in land use zone from C-3 to M-1



**St. Charles Parish
Department of Planning & Zoning**

SUBDIVISION ORDINANCE AMENDMENT REPORT

CASE NUMBER: PZO 2015-04

Introduced by Paul Hogan, PE, Councilman, District IV

To amend the Zoning Ordinance to allow cemeteries of one (1) acre or greater as a special permit use in the M-1 land use zoning district with a supporting resolution of the Parish Council

Planning and Zoning context:

The zoning district:

- The zoning map shows 58 M1 zoning districts of various sizes totaling approximately 5,678 acres.
- Sixteen of the districts, approximately 4,747 acres, were created with the comprehensive zoning of 1981. Approximately half of this acreage appears to have no land use. The largest of these 16 original M1 zoning districts surrounds the I-310 corridor, but is comprised of wetlands. Another large original M1 zoning district with sparse development exists in Des Allemands between Hwy 635 and J. B. Green Road; a third is near the Ama Airport. These are the lands likely to be affected by the ordinance change.
- The other 42 M1 zoning districts were created by the Parish Council at the request of individual property owners or developers. The majority of the acreage that was rezoned to M-1 is developed with light industrial uses.
- The amendment does not affect much land that currently is zoned M1.

The specific use: Generally, once land is dedicated for cemetery use, it is unlikely to accommodate another use.

- Louisiana Law requires dedication of land for a cemetery. If a local ordinance requires one acre minimum for a cemetery, in order to comply with both local and state law, a cemetery in M1 will have to dedicate the entire acre. The process for revoking a dedication of any portion of the original dedication is long (Louisiana Revised Statutes, Title 8, Chapter 5 section 306).
- Louisiana Law requires survivors consent to move remains; if survivors cannot be found, a judgment must be rendered to allow the removal and relocation of remains (LRS Title 8 Chapter 10a section 659).
- One cemetery currently is zoned M1—shown below. Currently, this cemetery is legally non-conforming as to zoning. If the change is adopted, the owners could request a Special Permit use in order to expand or improve the site, to add a parking lot or mausoleum, for example.



Potential outcomes:

1. The proposed ordinance change would not affect much developable acreage.
2. The one acre minimum appears arbitrary. It should be removed.

2015-

INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV
ORDINANCE NO. _____

An ordinance of the Parish of St. Charles, providing that the Code of Ordinances, Parish of St. Charles, be amended by revising Appendix A, the St. Charles Parish Zoning Ordinance of 1981, Section VI. Zoning district criteria and regulations., D., [I]. 1. c. Special Permit Uses in the M-1 Zoning District, by adding (10) to allow cemeteries as a Special Permit Use and shall require a supporting resolution of the Council.

WHEREAS, the St. Charles Parish Council wishes to add cemeteries as a Special Permit Use in the M-1 Zoning District.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the St. Charles Parish Code of Ordinances, Appendix A, the St. Charles Parish Zoning Ordinance of 1981, Section VI. Zoning district criteria and regulations., D., [I]. 1. c. Special Permit Uses in the M-1 Zoning District, is hereby amended by adding the following:

Section VI. Zoning district criteria and regulations

D. [I]. 1. c. Special permit uses and structures include the following:

- (10) Cemeteries with a minimum size of one (1) acre upon receiving a recommendation by the Planning and Zoning Commission and a supporting resolution of the Council.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2015, to become effective five (5) days after publication in the Official Journal.

2015- Amend Code - Appendix A Sect VI M-1 Special Permit Use cemeteries (8-2-15-PH) (L_)

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

APPLICABLE REGULATIONS

Section III.

Section VI.

1. c. Special permit uses and structures included the following:

Section IV.

1. Compliance with the current St. Charles Parish Comprehensive Plan.
2. Compatibility with existing uses on abutting sites in terms of site development, building design, hours of operation, and transportation features related to safety and convenience of vehicular and pedestrian circulation.
3. Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.
4. Potentially unfavorable impacts on other existing uses on abutting sites to the extent such impacts exceed those impacts expected from a permitted use in the zoning district.
5. Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.

6. A site development plan shall be required as part of the application process. The following design criteria shall be evaluated on the plan:
 - a. Required yards and open space
 - b. Ingress and egress to property
 - c. Parking and loading areas
 - d. Location of garbage facilities
 - e. Landscaping, buffering, and screening
 - f. Signage
 - g. Height and bulk of structures
 - h. Location and direction of site lighting

Section VII. Supplemental Use and Performance Regulations.

1. The following uses are subject to the regulations set forth herein:

Accessory Buildings

Residential accessory buildings are allowed only in the side and rear yards.

 - a. An accessory building may be connected to the principal building via an unenclosed breezeway not exceeding eight (8) feet in width.
 - b. Accessory buildings must be three (3) feet from the principal building, measured from any existing overhangs (not including breezeways).
 - c. The following shall not be permitted as accessory buildings in residential zones: storage containers, cargo containers, ship to shore containers or any form of a modified delivery type container which is normally mounted or transferred on a vehicle or is designed for or capable of being mounted on a chassis for movement.

- Accessory Dwelling Units*
- a. *Purpose* – to offer a wider range of housing options within residential zoning districts.
 - b. *Design and Development Standards for all Accessory Dwelling Units (ADU).*
 - There shall be no more than one ADU permitted per lot.
 - No ADU will be permitted without a primary building.
 - An ADU may consist of part or all of a detached accessory structure or it may consist of a portion of the primary structure.
 - There shall not be more than one bedroom in an ADU.
 - An ADU shall use the electrical service of the primary structure.
 - The owner of the property on which the ADU is to be created shall occupy the primary dwelling unit.
 - Setbacks for ADUs developed as part of the principal structure are the same as the underlying zoning district.
 - Setbacks for ADUs developed as detached structures shall meet the setbacks for accessory structures for the underlying zoning district.
 - The floor area of the ADU is limited to fifty percent of the floor area of the primary dwelling unit, not to exceed 1,200 square feet.
 - ADUs require one off-street parking space in addition to the parking requirements of the underlying zoning district.

ANALYSIS

This applicant is requesting approval of an existing detached accessory dwelling unit so that they will comply with the Zoning Ordinance. The structure was originally permitted as a garage in 1994 (Permit # 9654-94) but was subsequently developed as a living structure. This does not comply with existing zoning that requires approval of a special permit use. The permit indicates that the structure measures 33-feet by 33-feet, or 1,089 square feet, which complies with the maximum allowable 1,200 square foot livable area.

The Planning Department generally recommends approval of a Special Permit when it meets a majority of the six evaluation criteria. ***This application meets at least five. The first consideration is met*** as the residential land use is consistent with the St. Charles Parish Comprehensive Plan for *low density residential*. The site is located in an existing residential neighborhood and the ADU has a physical appearance much like the surrounding single family residential structures in the neighborhood and is in residential use. **This meets the second consideration.**

The ADU is served by a driveway that extends beside the primary structure and well exceeds the length and width required for 2 vehicles. Thus, **the third consideration is met.**

The fourth consideration is met because as with all permits submitted to the Department, consideration of impacts to existing infrastructure was determined previous to approval of the 1994 permit. The site is in an existing residential subdivision with the required infrastructure in place.

The sixth consideration is met because the lot configuration and area means the required yards and open space are more than adequate. The lot well exceeds the minimum 6,000 square foot requirement for R-1A and thus more than adequate outdoor space can be provided. The lot measures 70-feet by 210-feet, or 14,700 square feet.

The building complies with the regulations set forth for accessory buildings, including all required setbacks. It also shares the power meter with the primary structure, as per the performance regulations for ADUs.

DEPARTMENTAL RECOMMENDATIONS Approval.

St. Charles Parish

Department of Planning & Zoning

LAND USE REPORT
CASE NUMBER: PZR 2015-20

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:**
Ashley Plaisance
406 Ellen St
Ama, LA 70031

Application Date 8/21/15
Phone: 504.875.8708
- ◆ **Location of Site:**
Lot J-1 & J-2 of a Subdivision of the Property of the Heirs of Anatole Friloux;
309 & 311 St. Marks St. Ama.
- ◆ **Requested Action**
Change of land use zone from R-1A to OL

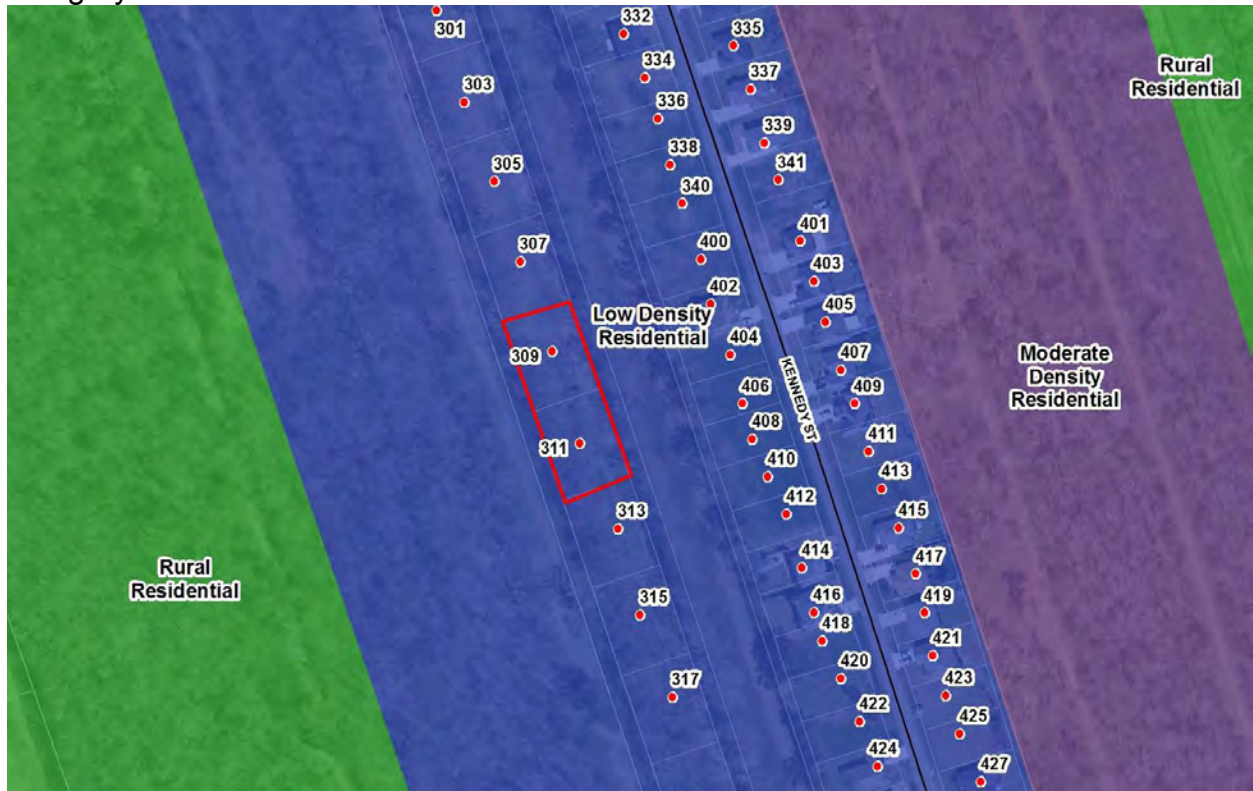
SITE – SPECIFIC INFORMATION

- ◆ **Size of Parcel:** Approximately 28,534 sq. ft.
- ◆ **Traffic Access:** St. Mark Avenue is a developed public right-of-way that terminates approximately 300' north of this property. Access to adjacent single-family houses is via private shell road.
- ◆ **Existing Zoning & Land Use:** The lots are zoned R-1A, but vacant and wooded.
- ◆ **Surrounding Zoning & Land Use:** To the north, properties were rezoned to OL in 2013 & 14 and developed with single-family houses. To the west/upriver or across the access road, as well as to the south of along the access road, land is zoned R-1A but wooded and vacant. To the east/downriver or rear, land is zoned R-1A and vacant, but graded.



◆ **Plan 2030 Recommendations:** Low-Density Residential

"Predominantly single family detached subdivisions, including those developed consistent with the R-1A (6,000 sq. ft. minimum lot size) and R-1B (10,000 sq. ft. minimum lot size) zoning districts. It also allows accessory units and individual mobile homes on small platted lots zoned R-1AM. Neighborhood-serving uses such as neighborhood parks, churches and servitudes may also be included in this land use category."



APPLICABLE REGULATIONS

Appendix A., Zoning Ordinance, Section XV Amendment Procedure:

D. Rezoning Guidelines and Criteria: Before the Commission makes a recommendation or the Council rezones property; there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

1. The proposed rezoning conforms to land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zoning that is incompatible with the surrounding neighborhood.
2. The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property. One or more of following examples may be used in evaluating reasonableness:
 - a. Consideration of uses on adjacent properties that would limit the use of the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects which can be shown to limit the usefulness of vacant land or buildings.
3. Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.

The Planning Staff shall base rezoning analyses on these criteria but shall not be prohibited from factoring unique circumstances of the application into the analysis. The Planning and Zoning Commission may state in its recommendations to the Council: its concurrence with, or rejection of, any or all of the proponents' case for the suggested amendment, and/or its position relative to proponents' statements on the case. Planning Staff analyses and recommendations shall be forwarded to the Council along with the Commission's recommendations.

Appendix A., Zoning Ordinance, Section VI. A. [I.] O-L. Open Land District:

[I.] O-L. Open Land District:

Policy statement: This district is composed mainly of large open unsubdivided land that is vacant or in agricultural, forestry or residential use. The regulations are designed to protect the open character of the district, and to allow residents to retain their traditional ways of living, by prohibiting the establishment of scattered business, industrial and other uses that are unrelated to any general plan of development and that might inhibit the best future utilization of the land. It

is intended that land in these districts will be reclassified to its appropriate residential, commercial or industrial category in accordance with the amendment procedure set forth in the St. Charles Parish Code.

1. Use Regulations:
 - a. A building or land shall be used only for the following purposes:
 - (1) Farming.
 - (2) Animal husbandry.
 - (3) Farm family dwellings.
 - (4) Tenant dwellings.
 - (5) Site-built, single-family detached dwellings.
 - (6) Additional dwellings for family and relatives on unsubdivided property on a non-rental basis, and which meet the criteria outlined in Special Provisions [subsection 3].
 - (7) Manufactured housing.
 - (8) Mobile homes.
 - (9) Accessory buildings.
 - (10) Family subdivisions, provided that they conform to the St. Charles Parish Subdivision Regulations [appendix C].
 - (11) Farmer's market, provided that the criteria outlined in Special Provisions [subsection 3] is met.
 - (12) Any permitted uses under subsection 1.a. items (1) through (9) on a lot or property without frontage provided that a permanent right of passage to access the structure exist or is provided for, is recorded into the deed of the property, and is filed with the Clerk of Court. (Ord. No. 95-9-11, § I, 9-18-95; Ord. No. 97-9-12, § II, 9-22-97; Ord. No. 08-5-8, § I, 5-19-08)
 - b. Special exception uses and structures include the following:
 - (1) Religious institutions.
 - (2) Golf courses and golf practice ranges.
 - (3) Public parks and recreational areas.
 - c. Special permit uses and structures include the following:
 - (1) Child care centers.
 - (2) Public and private academic institutions (trade, business and industrial schools shall be located in the appropriate commercial or industrial zoning district).
 - (3) Cemeteries and mausoleums, provided that they meet the criteria outlined in Special Provisions [subsection 3].
 - (4) Extraction of oil and gas, minerals and other natural resources provided that criteria set forth by the St. Charles Parish Coastal Zone Management Section of the Planning and Zoning Department are met.
 - (5) Public stables and kennels.
 - (6) Cellular installations and PCS (personal communication service) installations. (Ord. No. 97-7-4, § III, 7-7-97)
 - (7) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street. (Ord. No. 03-1-12, § II, 1-21-03)
 - (8) Reserved. (Ord. No. 07-1-6, § III, 1-8-07; Ord. No. 08-5-8, § I, 5-19-08)
 - (9) Fire stations with or without firefighter training facilities. (Ord. No. 08-7-8, I, 7-21-08)
 - (10) Nonresidential accessory buildings
 - (11) Accessory Dwelling Units upon approval by the Planning Commission and supporting resolution of the Council. (Ord. No. 15-7-5)
2. Spatial Requirements:
 - a. Minimum lot size shall be twenty thousand (20,000) square feet; minimum width fifty (50) feet. (Ord. No. 07-1-6, § II, 1-8-07)
 - b. Minimum yard sizes:
 - (1) Front—thirty-five (35) feet.
 - (2) Side—ten (10) feet.
 - (3) Rear—twenty (20) feet.
 - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999. (Ord. No. 08-8-9, § II, 8-18-08)
 - c. Accessory buildings: Minimum rear and side setbacks shall be ten (10) feet.
 - d. Permitted encroachments:
 - (1) Overhangs projecting not more than twenty-four (24) inches excluding gutter.
 - (2) Stairs and landings not more than three (3) feet in height, projecting no more than four (4) feet into the required front or rear yard.
3. Special Provisions:
 - a. Additional dwellings on unsubdivided property:

- (1) Additional dwellings on unsubdivided property referred to in 1, a(11) above, will be permitted at the rate of one (1) dwelling unit for each ten thousand (10,000) square feet of lot area.
- (2) The applicant for any additional dwellings on unsubdivided property shall submit a copy of all subdivision restrictions (covenants) which govern the property in order to protect the integrity of the neighborhood.
- (3) Under no circumstances will the total number of dwellings per unsubdivided lot permitted under these provisions exceed four (4).
- (4) Permits issued under this provision will be issued for a two-year period. At the expiration of this time, an investigation will be conducted by the Planning and Zoning Department to determine if this Code is complied with. Non-compliance will result in the revocation of the permit.
- b. All manufactured housing and mobile homes shall be secured according to the Federal Emergency Management Agency's Sept. 1985 publication Manufactured Housing Installation in Flood Hazard Areas.
- c. All dwelling units shall be connected to utility systems which provide for health and safety under all conditions of normal use. Home utility services shall only be connected to the supply source by means of approved materials, and shall be inspected by the appropriate agency.
- d. Farmer's market
 - (1) All products must be sold on the premises on which they were grown or produced, from either a truck, stand, display table, or other means of display which has been inspected and approved by the Parish Health Unit. (Ord. No. 92-9-20, § II, 9-21-92)
 - (2) No structure, vehicles or signs may be located closer to any property line than the general setback requirements of the O-L District with the exception of one (1) on-premises sign which contains the name of the market. This sign shall be located approximate to the entrance drive directing attention to the market. The sign shall conform with acceptable commercial standards regarding quality and aesthetics. No temporary signs will be allowed. If the sign is to be illuminated, lighting shall be arranged as not to interfere with traffic safety or cause a nuisance to abutting properties.
- e. Cemeteries and mausoleums:
 - (1) All cemetery or mausoleum sites must have a minimum street frontage of one hundred (100) feet. (Ord. No. 08-3-4, § 1, 3-24-08)
 - (2) All cemetery or mausoleum sites must have a fence or screen planting six (6) feet high along all property lines adjoining all districts. (Ord. No. 08-5-7, § 1, 5-19-08)
4. Prohibited Use: Medical waste storage, treatment or disposal facilities.

ANALYSIS

The applicant requests a rezone from R-1A to OL in order to permit a single-family structure on two adjacent lots, J-1 and J-2, which she purchased in 2015. The 1980 plat that created the lots shows a 14' wide servitude for ingress and egress for the 30 lots of approximately 14,000 sq. ft. each (Subdivision of a Portion of the Property of the Heirs of Anatole Friloux, by Lucien Gassen, January 1 1980).

Both lots together total over 28,000 sq. ft. of area. Should the rezone pass, the lots will have to be resubdivided into one in order to meet the OL spatial requirement of 20,000 sq. ft. required to permit a house. Each lot already exceeds the required 50' width. The property was zoned OL from 1981-2008, when the Ama Zoning Study recommended a change to R-1A, which was subsequently approved (Ordinance 08-9-10).

The community-led Ama zoning analysis resulted in many R-1AM and OL zoning districts being converted to R-1A. Generally considered the most restrictive zoning district, R-1A permits single-family, site-built houses on 6,000 minimum sq.ft. lots when the lots front on a dedicated, hard-surfaced street right-of-way that provides community sewer, water, and drainage, with other utilities like telecommunications, gas, and electricity within the right-of-way (R-1B is actually more restrictive requiring 10,000 sq. ft. lots).

In the seven years since the rezone, no residential subdivisions have been built in Ama; 16 houses have been permitted in the community since 2008. The majority of the new houses would be considered infill development in existing subdivisions (Ama Heights and Seller's Village). Two of the 16 are on properties adjacent to the subject property on the undeveloped portion of St. Mark's Street on lots zoned back to OL.

In order to receive a recommendation for approval, " there should be reasonable factual proof by the proponent of a change that one or more ...criteria are met." The applicant has shown that this request meets the second criterion which states:

2. The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property. One or more of following examples may be used in evaluating reasonableness:
 - a. Consideration of uses on adjacent properties that would limit the use of the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects which can be shown to limit the usefulness of vacant land or buildings.

The second guideline considers whether other land uses in the surrounding area have affected the subject property to the extent that it cannot be used or developed as the current zoning requires.

In this case, the development of two single-family houses on the 14' wide aggregate-surfaced access servitude, between the subject property and River Road makes it unlikely that a 50' wide street right of way will be developed to provide these two lots with the frontage and infrastructure that must be in place to permit a house on a lot zoned R-1A. The Department agrees that the second criterion is met as the land use pattern and character of this portion of St. Mark's Avenue has changed to the extent that the existing R-1A zoning no longer allows reasonable use of the applicant's property. The changes in recent years to the physical environment limit the usefulness of the land under the R-1A zoning district.

DEPARTMENT RECOMMENDATIONS

Approval.

St. Charles Parish

Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: PZR 2015-22

GENERAL APPLICATION INFORMATION

- ◆ Name/Address of Applicant:

Airlonzo Wells
205 Cove Lane Valcour Ln
Destrehan, LA 70047
504.329.9358
alwells507@gmail.com

◆ Property Owner

Mark Fuselier
101 Riverwood Dr
St Rose LA 70082

◆ Application Date 9/8/15
- ◆ Location of Site:

14192, 14194, 14196, 14198, & 15000 River Rd (corner of Ormond Meadows Dr)
Destrehan.
- ◆ Requested Action

Change of zoning from C-2 to R-3
- ◆ Purpose of Requested Action

Development of 5 townhomes.

SITE – SPECIFIC INFORMATION

- ◆ Size of Parcel

Approximately 19,500 sq. ft.
- ◆ Zoning and Current Use:

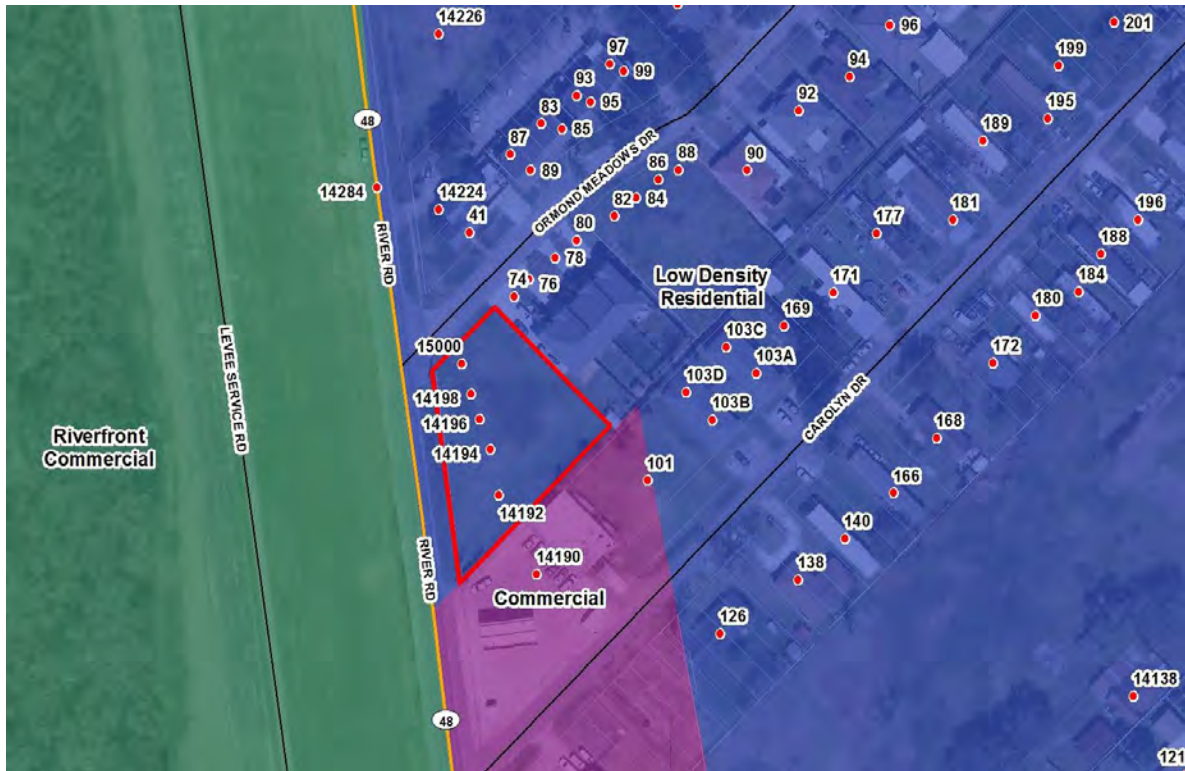
C-2 & vacant.
- ◆ Surrounding Land Uses and Zoning



- C-2 zoning and land use on downriver side of site; R-3 zoning and land use to rear of site and across Ormond Meadows Drive. B-1 zoning, vacant land uses across River Road.
- ◆ Traffic Access and Parking

Applicant intends to have driveway access from River Road.

◆ **Plan 2030 Recommendations:**
Low-Density Residential.



APPLICABLE REGULATIONS

Appendix A., Zoning Ordinance, Section XV Amendment Procedure:

D. Rezoning Guidelines and Criteria: Before the Commission makes a recommendation or the Council rezones property; there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

1. The proposed rezoning conforms to land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zoning that is incompatible with the surrounding neighborhood.
2. The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property. One or more of following examples may be used in evaluating reasonableness:
 - a. Consideration of uses on adjacent properties that would limit the use of the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects which can be shown to limit the usefulness of vacant land or buildings.
3. Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.

The Planning Staff shall base rezoning analyses on these criteria but shall not be prohibited from factoring unique circumstances of the application into the analysis. The Planning and Zoning Commission may state in its recommendations to the Council: its concurrence with, or rejection of, any or all of the proponents' case for the suggested amendment, and/or its position relative to proponents' statements on the case. Planning Staff analyses and recommendations shall be forwarded to the Council along with the Commission's recommendations.

[VIII.] R-3. Multi-family residential:

1. Use Regulations:
 - a. A building or land shall be used only for the following purposes:
 - (1) All uses allowed in the R-2 district. (Ord. No. 88-5-5, 5-16-88)
 - (2) Multi-family dwellings including duplexes, apartments, apartment houses, townhouses, and condominiums.
 - (3) Boarding and lodging houses.
 - b. Special exception uses and structures: As approved by the Planning and Zoning Commission only:
 - c. Special permit uses and structures:
 - (1) Supplemental C-1 and C-2 uses. (Ord. No. 88-5-6, 5-16-88)

- (2) Reserved. (Ord. No. 88-5-6, 5-16-88; Ord. No. 95-4-8, § IV, 4-3-95)
- (3) Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council. (Ord. No. 92-10-9, § VI, 10-5-92)
- il=50q Editor's note— Section VI of Ord. No. 92-10-9, adopted Oct. 5, 1992, added § VIII.1(c)(3). The editor has interpreted the intent of the section to add § VI.B[VIII]1.c(3).
2. Spatial Requirements:
 - a. Minimum lot size: Ten thousand (10,000) square feet; minimum width - sixty (60) feet; two thousand five hundred (2,500) square feet per family.
 - b. Minimum yard requirements:
 - (1) Front - twenty (20) feet
 - (2) Side - ten (10) feet
 - (3) Rear - twenty (20) feet.
 - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999 (Ord. No. 08-8-9, § VIII, 8-18-08).
 - c. Maximum land coverage: Eighty (80) percent (twenty (20) percent green space).
 - d. Accessory buildings:
 - (1) Accessory buildings shall be of one story construction not to exceed sixteen (16) feet in height.
 - (2) Accessory buildings shall be located on the same parcel of land as the main structure.
 - (3) Nonresidential accessory buildings shall not be permitted.
(Ord. No. 82-3-3, § II, 3-1-82; Ord. No. 12-7-4, § IX, 7-2-12)
 - e. Permitted encroachments:
 - (1) Overhangs projecting not more than twenty-four (24) inches, excluding gutter.
 - (2) Stairs and landings not more than three (3) feet in height, projecting no more than four (4) feet into required front or rear yard.
(Ord. No. 82-3-3, § II, 3-1-82)
 3. Transportation System: Servitude of access, local, or collector street.
 4. Special Provisions:
 - a. Where any multi-family residential district (R-3) abuts any residential zoning district or use, a six-foot-high solid wood fence or masonry wall shall border the same and there shall be a buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones.
(Ord. No. 82-6-9, § III, 6-7-82)
 - b. 1. Townhouses: Single-family attached dwellings on individual lots for sale served by servitudes of access or fronting a public street.
 - (a) Location: In R-3 districts, townhousing shall be allowed.
 - (b) Procedure: Applicants wishing to subdivide existing multi-family lots into townhouse lots shall file for subdivision as per section II, subsection B.4., of St. Charles Parish Subdivision Regulations (Appendix C).
 2. Site Plan and Design Criteria, Details:
 - (a) Minimum width for the portion of the lot on which the townhouse is to be constructed shall be twelve (12) feet.
 - (b) Minimum yard requirements:
 - (1) Front—twenty (20) feet.
 - (2) Side—ten (10) feet.
 - (3) Rear—twenty (20) feet.
 - (4) Area—twenty-five hundred (2500) square feet.
 - (c) Each townhouse shall have its own rear yard of at least one hundred twenty (120) square feet. When rear parking is provided it shall be reasonably secluded from view from a street, parking area or from neighboring property. Such yard shall not be used for any accessory building.
 - (1) Grouped parking facilities: Insofar as practical, off-street parking facilities shall be grouped in bays, either adjacent to access drive or in the interior of blocks. Adequate drainage shall be provided by developers in connection with common parking facilities, and all such facilities shall be improved to parish standards for off-street parking areas, with at least two (2) spaces per unit on the lot plus one (1) visitor parking space per each two (2) units.
 - (2) Courts, Open Space, and Recreational Areas: A minimum of two hundred (200) square feet per dwelling unit of recreation space must be provided. At the discretion of the director, recreation space may not be required provided that the developer pay a two hundred dollar (\$200.00) recreation fee per unit to the parish for the development of recreational facilities.

3. Utilities and Landscaping: Design and construction of drives, drainage, and location of utilities shall be subject to review and approval by the Planning and Zoning Department. A minimum of twenty (20) percent of the site must be appropriately landscaped.
 - (1)[a] Interior access drives shall be at least twenty-two (22) feet wide for two-direction drives or twelve (12) feet with one-direction drive and must be properly drained.
 - (2)[b] Parking areas shall conform to section VIII of the St. Charles Parish Zoning Ordinance.
 - (3)[c] Before approval of the final subdivision plat, restrictions shall be submitted, including designation of all servitudes, lot lines, parking areas and other open spaces, with provision for perpetual maintenance of all improvements, including pavements, landscaping, utilities and servitudes. The above items will be filed with the resubdivision of the R-3 parcel.
 - (4) Buffer zone: There shall be a six-foot solid wood or masonry fence along the sides and rear of the property wherever it adjoins any single-family residential zoning district.
- (Ord. No. 88-3-9, 3-7-88)
 (Ord. No. 82-6-9, § III, 6-7-82)

ANALYSIS

Owner of the lot developed the abutting lots on Ormond Meadows Drive. Rezoning to an R-3 zoning district would conflict with the Future Land Use Map since it is a more intensive residential land use than the designation of Low-Density Residential. So the **first criteria is not met.**

The site has been zoned C-2 for several years and the owners have had no success selling it for commercial development or with developing it themselves –“the pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant’s property.” This **meets the second criteria.**

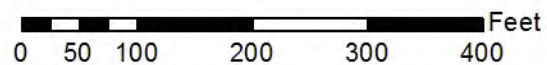
The site abuts a town home development on one side. All public utilities are in place for the requested zoning. The resulting R-3 zoning “will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.” Therefore, **the third criteria is met.**

This site is below the three acre threshold that mandates a corresponding FLUM amendment. Therefore, no change to the adopted FLUM is recommended at this time.

DEPARTMENT RECOMMENDATIONS

Approval.

Requested by: Airlanzo Wells
Rezone From C-2 to R-3



St. Charles Parish
Department of Planning & Zoning

LAND USE REPORT
CASE NUMBER: PZR 2015-23

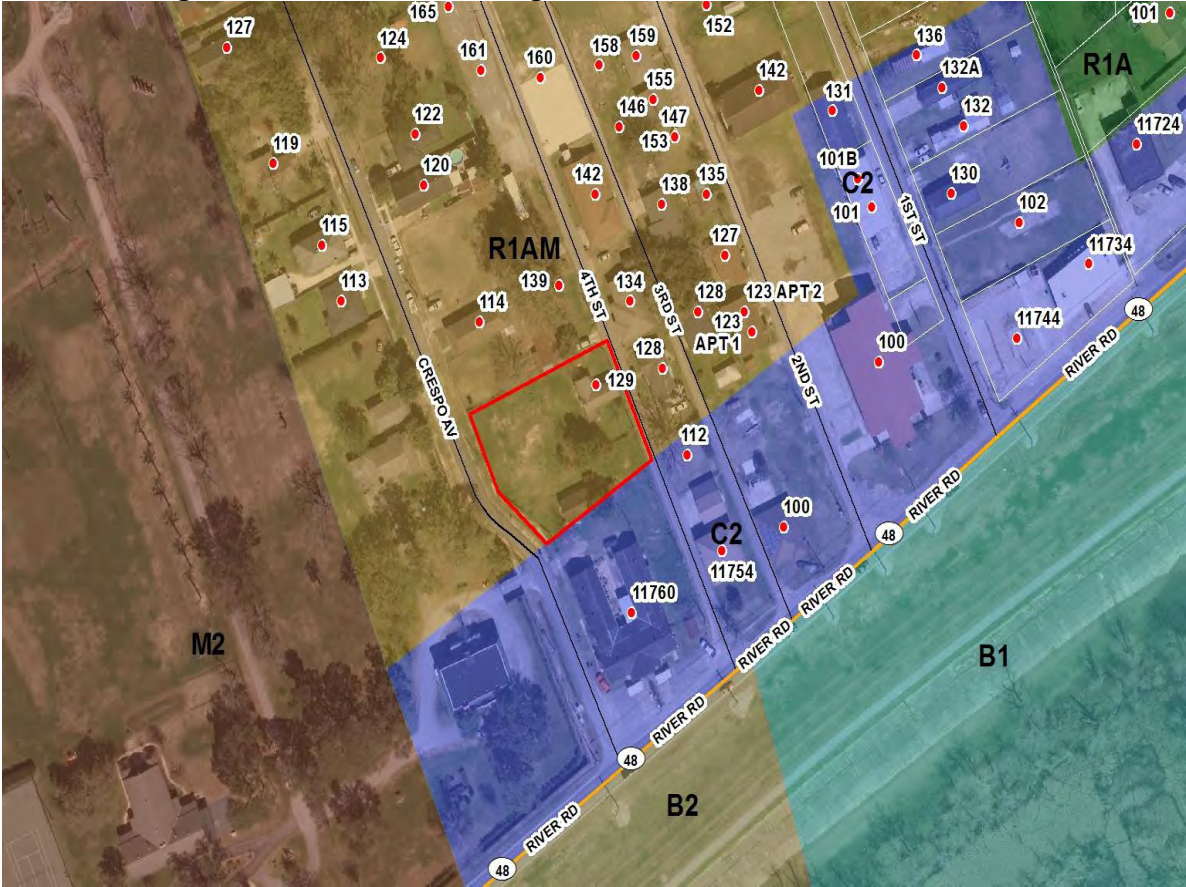
GENERAL APPLICATION INFORMATION

- ◆ Name/Address of Applicant:
DVL Properties, LLC
321 St Charles Ave
New Orleans, LA 70130

Application Date 9/8/15
- ◆ Location of Site:
11760 River Road, St Rose
- ◆ Requested Action
Change of zoning from R-1AM to C-2
- ◆ Purpose of Requested Action
Consolidation of zoning (elimination of a split zone)

SITE – SPECIFIC INFORMATION

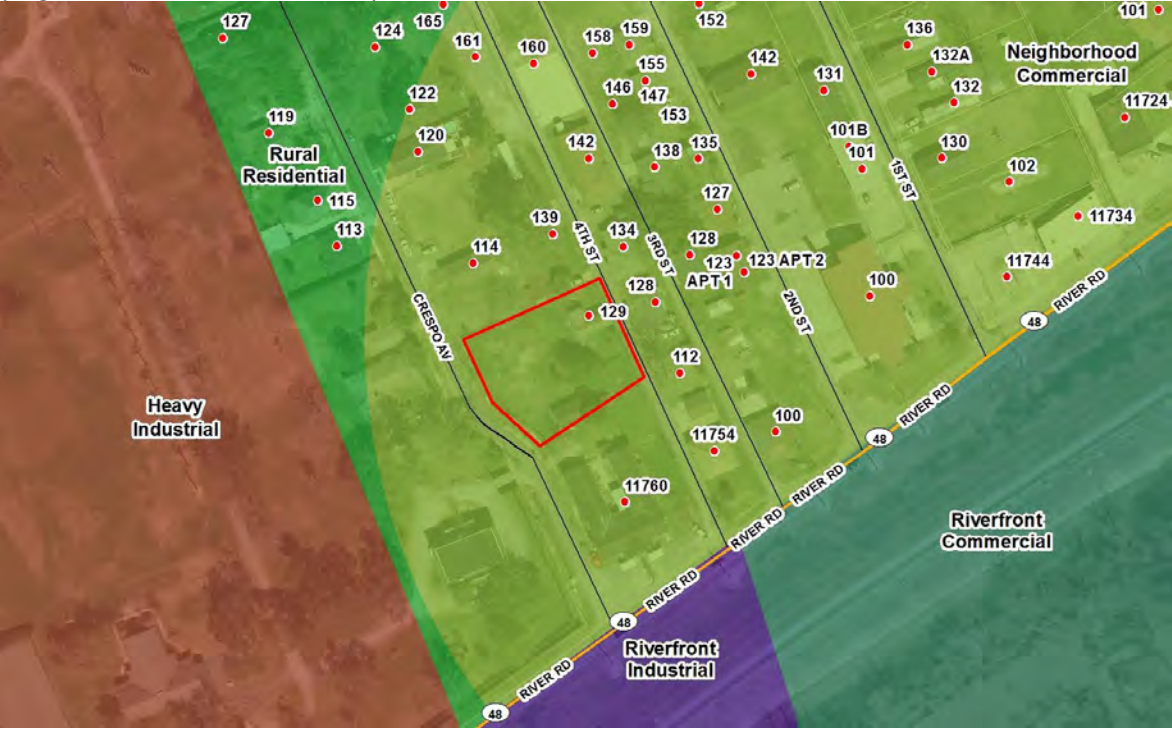
- ◆ Size of Parcel
Portion of Lot 1-A, which is 46,744.44 sq. ft.
- ◆ Zoning and Current Use:
R-1AM. Parking lot in place but renovations to building for restaurant is still incomplete.
- ◆ Surrounding Land Uses and Zoning



C-2 on River Road side (restaurant on same lot), R-1AM zoning and land uses to sides and rear.

Plan 2030 Recommendations:

Neighborhood Commercial- *retail sales and services for the daily self-sufficiency of residents of a neighborhood, such as convenience shopping, dry cleaners, hair salons, and barber shops, day care centers, coffee shops professional and business service offices etc. Uses permitted in the C-1 zoning district are allowed in this district. Some uses that are permitted in the C-2 zoning district are also appropriate (e.g., bakeries, tailors, etc.).*



- ◆ **Traffic Access and Parking**
Crespo Lane or Fourth Street.

APPLICABLE REGULATIONS

Appendix A, Zoning Ordinance, Section XV Amendment Procedure:

D. Rezoning Guidelines and Criteria: Before the Commission makes a recommendation or the Council rezones property; there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

1. The proposed rezoning conforms to land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zoning that is incompatible with the surrounding neighborhood.
2. The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant’s property. One or more of following examples may be used in evaluating reasonableness:
 - a. Consideration of uses on adjacent properties that would limit the use of the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects which can be shown to limit the usefulness of vacant land or buildings.
3. Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.

The Planning Staff shall base rezoning analyses on these criteria but shall not be prohibited from factoring unique circumstances of the application into the analysis. The Planning and Zoning Commission may state in its recommendations to the Council: its concurrence with, or rejection of, any or all of the proponents' case for the suggested amendment, and/or its position relative to proponents' statements on the case. Planning Staff analyses and recommendations shall be forwarded to the Council along with the Commission's recommendations.

[III.] C-2 General commercial district— Retail sales:

1. Use Regulations:
 - a. A building or land shall be used for the following purposes:
 - (1) All uses allowed in C-1 District. (Ord. No. 88-5-5, 5-16-88)
 - (2) Retail sales (except auto and mobile home sales), usage, and storage
 - (3) Hotels, motels and apartment hotels
 - (4) [Repealed by Ord. No. 92-9-14, 9-8-92.]

- (5) Restaurants (including drive-in restaurants) and cafeterias. Specific land use requirements for restaurants serving alcoholic beverages are contained in subsection III.59. of these regulations, with further details contained within Chapter 3 of the St. Charles Parish Code of Ordinances.
- (Ord. No. 94-11-2, § V, 11-7-94)
- (6) Animal hospitals where all animals are kept inside the building
 - (7) Service station
 - (8) Commercial recreation facilities
 - (9) Commercial greenhouses and nurseries
 - (10) Commercial schools
 - (11) Shops not to exceed two thousand five hundred (2,500) square feet of floor area for the repair and servicing of the following:
 - Bicycles
 - Radios
 - Televisions
 - Stereos and recorders
 - Household appliances
 - Locksmith
 - Typewriters
 - Other similar uses
 - (12) Shops not to exceed two thousand five hundred (2,500) square feet of floor area may also include the following uses:
 - Dressmakers
 - Millinery
 - Tailors
 - Baking goods sales
 - Laundry and dry cleaners
 - Theatres (but not the drive-in type)
 - (13) Laboratories
 - (14) Customary accessory uses incidental to the above uses when located on the same lot
 - (15) Funeral homes (provided that a petition of no objection signed by a majority of property owners within a three hundred foot radius of the site and one hundred (100) percent of the property owners on the same street within the same block be filed with the Planning Zoning Department
 - (16) Cemeteries and mausoleums, provided however that such uses shall be located on sites of at least twenty (20) acres, all graves shall be set back at least fifty (50) feet from all property lines, shall have a minimum street frontage of one hundred (100) feet and a fence or screen planting six (6) feet high shall be provided along all property lines adjoining all districts Cellular/communication towers. (Ord. No. 95-9-11, 9-18-95)
 - (17) Other uses of similar intensity.
 - (18) Mini-storage facilities (limited to one-story construction in C-2 district). (Ord. No. 98-3-17, § II, 3-23-98).
 - (19) Historic home site bed and breakfast. (Ord. No. 13-7-6, § II, 7-1-13)
- b. Special exception uses and structures include the following:
 - (1) Dwelling units contained within the office building
 - (2) Reserved
 - (3) Reserved
 - (4) Churches
 - (5) Movie theaters
 - (6) Temporary on-site construction buildings for a period of one (1) year upon approval of the Planning Director. (Ord. No. 88-9-9, 9-6-88)
(Ord. No. 85-7-17, 7-22-85)
 - c. Special permit uses and structures include the following:
 - (1) R-1A and R-1B uses upon review and approval by the Planning Commission.
 - (2) R-3 uses upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (3) Office buildings for gaming operations, excluding all gaming activities, upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (4) Motor vehicle repair. Automobile sales and service on designated federal and state highways; body repair activities being strictly prohibited in the C-2 zoning district.
 - (5) Heating and air conditioning service.
 - (6) Sheet metal shops
 - (7) Plumbing shops.
 - (8) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.
 - (9) Bingo halls, video bingo parlors, and off-track betting establishments upon review of the planning commission and ordinance of the St. Charles Parish Council.
(Ord. No. 92-9-14, 9-8-92; Ord. No. 94-1-9, § III, 1-10-94; Ord. No. 94-6-6, § I, 6-6-94; Ord. No. 98-7-6, 7-6-98; Ord. No. 02-5-21, 5-20-02; Ord. No. 03-1-12, § III, 1-21-03; Ord. No. 07-10-10, § I, 10-15-07; Ord. No. 09-4-19, § 1, 4-20-09)
2. Spatial Requirements:
 - a. Minimum lot size: Six thousand (6,000) square feet, minimum width - sixty (60) feet.
 - b. Minimum yard sizes:
 - (1) Front - twenty (20) feet
 - (2) Side - five (5) feet

- (3) Rear - ten (10) feet.
(Ord. No. 82-6-6, § 1, 6-7-82)
- (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999. (Ord. No. 08-8-9, § XI, 8-18-08)
- 3. Transportation Requirements: Arterial
- 4. Special Provisions:
 - a. Where any commercial use in a C-2 zoning district abuts any residential district or use, a six-foot high solid wood fence or masonry wall shall border the same and there shall be a buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones.
(Ord. No. 82-6-9, § III, 6-7-82; Ord. No. 98-1-3, § III, 1-5-98)

ANALYSIS

The applicant has been renovating the structure for past 12 months to develop a restaurant. The building and yard originally sat on separate lots that had different zoning designations. An administrative resubdivision was filed that created a single lot that now has split zoning. This request seeks to create a uniform zoning for the property and use.

The first criteria is met as it complies with the Plan 2030 Recommendation for *Neighborhood Commercial* (detailed above). It will not create a spot zone since it will attach to the C-2 zoning on which the restaurant building is situated. This will in fact eliminate a split zoning.

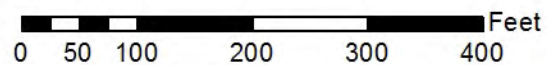
Previous to redevelopment, the site was vacant. No other activities have existed there. Now it is being developed as a restaurant and it is unlikely that the subject portion will be suitable for residential development, as such. Therefore, **the second criteria is met.**

It meets the third criteria because the resulting land use will be compatible with the Future Land Use recommendations for neighborhood commercial and will be adequately served by public facilities and infrastructure (as was the business that formerly operated there.

This site is below the three acre threshold that mandates a corresponding FLUM amendment. Therefore, no change to the adopted FLUM is recommended at this time.

DEPARTMENT RECOMMENDATIONS

Approval.



St. Charles Parish
Department of Planning & Zoning

LAND USE REPORT
CASE NUMBER: PZS-2015-24

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicants:**
Justin & Heather Loupe
110 Rogers Lane
Des Allemands LA 70030
985.306.0193

Elaine Naranjo
702 S Fashion Blvd
Hahnville LA 70057
504.259.6870

◆ **Location of Site:**
700 & 702 S Fashion Blvd (Lots 307 & 308).

◆ **Requested Action:**
Revocation of 60-foot access to resubdivide Lots 307 & 308 into Lots 307A & 308A.
- Application Date: 5/4/15

SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel:**
Lot 307: 9,300 sq. ft.
60-ft Row: 7,400 sq. ft.
Lot 308: approx. 12,000 sq. ft.
- ◆ **Zoning and Current Use:**
R-1A zoning, currently uses as single-family residential
- ◆ **Plan 2030 Recommendation:**
Mixed Residential—*area appropriate for large scale, creatively planned developments where the predominant use is residential, but where a variety of housing types at varying densities are encouraged, as well as compatible, local serving commercial and service uses. Development under this land use category is anticipated to take the form of Planned Development (PD's) as well as Traditional Neighborhood Developments (TND's).*
- ◆ **Surrounding Land Uses and Zoning:**
R-1A land uses and zoning; with a neighborhood park abutting rear of site.



- ◆ **Utilities:**
All utilities serve site

◆ **Traffic Access:**

S. Fashion Blvd fronts both lots and R.O.W.; Lot 307 also fronts on Gen. Lee Dr.

APPLICABLE REGULATIONS

St. Charles Parish Code of Ordinances. Chapter 2.

Sec. 2-4. Procedure to dedicate, or revoke dedication of street, canal, etc.

- (a) A formal act of dedication shall be filed by any person requesting the parish council to accept for maintenance streets and drainage using the following format:
- (1) The act shall state the name of the person dedicating the street or drainage.
 - (2) The act shall contain a description of the property in which the street or drainage is located.
 - (3) The act shall state the name of the street, the width and length to be accepted.
 - (4) All drainage ditches shall be properly marked with widths shown. The dedication shall spell out the width and length of each ditch.
 - (5) Two (2) updated maps shall be submitted to accompany each act of dedication. These maps shall give a description of the area including section, tract and range lines; name of subdivision, if applicable; date; civil engineer or surveyor; title; north point of compass and scale of map.
- (b) Prior to a request for the parish to assume for maintenance any street or drainage, it shall be necessary for the parish engineers to certify that the street or drainage meets parish specifications.
- (c) Acts of revocation on streets, drainage ditches or canals shall contain the same information as requested for acts of dedication **and shall be accompanied by the submission of a subdivision plan** which shall be executed through the local subdivision process, formally incorporating revoked properties into adjacent parcels.

(Code 1970, § 17-01; Ord. No. 93-12-4, § I, 12-6-93)

Subdivision Ordinance, Section II. Subdivision Procedure E. 4.

C. Minor Resubdivisions.

In instances where a net increase of five (5) or fewer lots is proposed by subdivision or resubdivision and no new or additional public improvements are required, no formal preliminary plat shall be required. However, the presented plan of resubdivision shall conform to requirements outlined in section II.C.3. of this section and shall have spaces provided for the signature of the Council Chairman and the Parish President. Approval requires a recommendation to the Council by the Planning & Zoning Commission, an ordinance by the Council, and certification by the Parish President. The proposal shall be in compliance with all relevant land use regulations, including the St. Charles Parish Zoning Ordinance and Subdivision Regulations, as amended. This authority shall not exceed the limits herein.

ANALYSIS

The subject right-of-way (ROW) was donated by the developer of Fashion Plantation Estates Phase II for Lot 307 to have direct street access. Lot 307 was also set aside for the Hahnville Volunteer Fire Department (HVFD) as a site for a future fire station. The right-of-way extends north from South Fashion Blvd for 124-feet and also provides access to a neighborhood park. Since subdivision approval in 2002, the ROW has been used by residents for access to the neighborhood park and by the Parks and Recreation Department for accessing the park with mowing equipment since a drainage ditch fronts the park along General Lee Drive. The park extends from General Lee Drive west to the rear of Lots 307 thru 310 and fronts along an undeveloped 100-foot ROW for a future roadway. To date, the 100-foot ROW has been used very little for park access.

The HVFD did not accept Lot 307 and the developer subsequently sold it to one of the applicants. The lot is among the smallest in the subdivision but also has three frontages: 124-feet along General Lee Drive, 75-feet along South Fashion Boulevard and 124-feet along the subject right-of-way. Although it does exceed frontage and area requirements for R-1A zoning, the 3 front yards present a unique situation for meeting minimum setbacks. At minimum, any home built there would be out of scale with the other houses in the neighborhood because it would be among the smallest in the neighborhood. If the 60-foot right-of-way is revoked, 30-feet would be added to both Lots 307 and 308 as required, thus Lot 307 would increase from 75-feet to 105 feet and Lot 308 would increase from 90-feet to 120 feet. This will also add over 3,000 square feet to each lot.

Revocation of the ROW would not remove all direct access to the park. Pedestrian access from General Lee Drive would be preserved but an increased amount of on street parking could result along General Lee if provisions for future onsite parking are not provided.

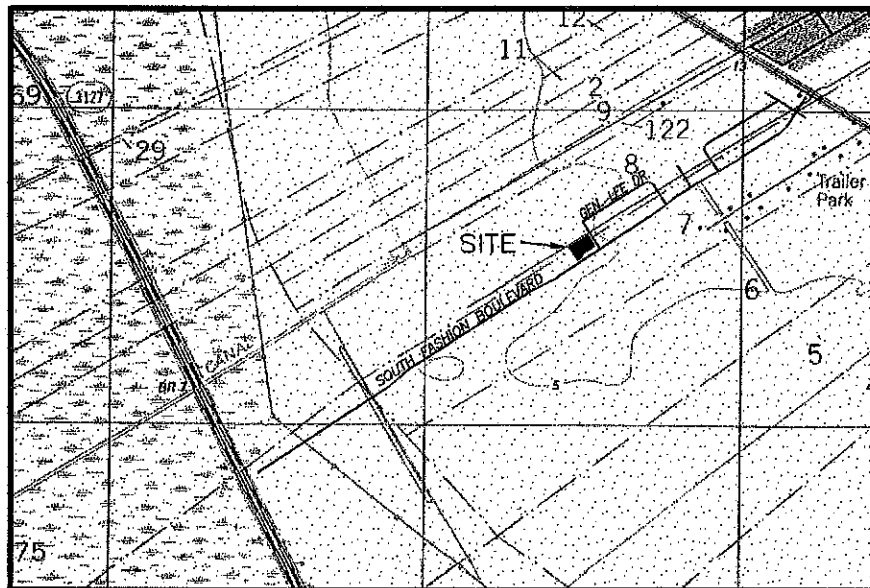
The required correspondence of no objection letters from parish department directors have been received.

However, there are issues with the location of the 10-foot utility servitude along Lot 308, and determining if electric, gas, telephone, or other public utility lines exist both there and along the existing 60-foot ROW along Lot 307. The Department recommends that the 10-foot utility servitude along Lot 308 is relocated to where it abuts the lot line of the proposed lots so that it does not run through the middle of Lot 308-A. Utilities within, if any, need to also be relocated accordingly. Louisiana One Call needs to be contacted by both lot owners so that the sites can be marked or it can be determined that no utilities exist.

Both proposed lots will exceed the requirements of the Subdivision and Zoning Ordinances, including minimum frontage and lot sizes. The Department offers no objection to approval of this revocation and resubdivision.

DEPARTMENTAL RECOMMENDATION

Approval.



VICINITY MAP
SCALE: 1" = 2000'

APPROVALS

St. Charles Parish Planning and Zoning
Commission Chairman

Date

St. Charles Parish Council Chairman

Date

St. Charles Parish President

Date

Recorded in The Clerk of Court's office

St. Charles Parish on the _____ day of _____

Folio _____, Entry # _____

Signature

Title

NOTE:
ALL NECESSARY SEWER, WATER AND/OR
OTHER UTILITY EXTENSIONS, RELOCATIONS
OR MODIFICATIONS SHALL BE MADE BY AND
SOLELY AT THE LOT OWNER'S EXPENSE.

306 (NOT A PART)
RECREATION AREA

LA. HWY. 3127 Side

100' FOR
FUTURE ROADWAY

310
(NOT A PART)

309
(NOT A PART)

NO. 702

LOT 308A
16,837.84 SQ. FT.

LOT 307A
13,027.00 SQ. FT.

GEN. LEE DRIVE

SOUTH FASHION BOULEVARD

REFERENCE PLANS:

1. FASHION PLANTATION III - FASHION ACRES AND RESUBDIVISION OF PARCELS A & B, FASHION PLANTATION ESTATES, PHASE II BY LUCIEN C. GASSEN, DATED JUNE 27, 2006
2. LOT 307 PROPOSED 10 FOOT UTILITY SERVITUDE FASHION PLANTATION ESTATES, PHASE II BY LUCIEN C. GASSEN, DATED FEBRUARY 8, 2008
3. SURVEY OF LOT 308 FASHION PLANTATION ESTATES PHASE II BY LUCIEN C. GASSEN, DATED JULY 2, 2007, REVISED JAN. 15, 2008 AND SEPT. 24, 2008

The servitudes shown on this survey are limited to those set forth per reference plans and there is no representation that all applicable servitudes are shown hereon. No title search or public record search was made in compiling data for this survey.

This is to certify that I have consulted the Flood Insurance Rate Maps and found that this property is in Zone AE.

LEGEND

- = 1/2" IRON ROD FOUND
- = 1/2" IRON ROD SET
- ▽ = MAG NAIL SET
- FH = FIRE HYDRANT
- SMH = SEWER MANHOLE
- WV = WATER VALVE
- BEARINGS ARE BASED ON SUBDIVISION PLAN

RESUBDIVISION OF LOTS 307, 308 AND A 60 FOOT ACCESS TO BE REVOKED FASHION PLANTATION ESTATES PHASE II

INTO LOTS 307A & 308A
IN SECTIONS 7 & 8, T13S - R20E
ST. CHARLES PARISH, LOUISIANA

SCALE: 1" = 40'

JANUARY 6, 2015

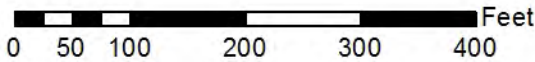
CERTIFIED TO FASHION PLANTATION, LLC

I certify that this plat represents an actual ground survey performed under my supervision and is in accordance with the Louisiana standards of practice for a Class C survey.

Lucien C. Gassen

LUCIEN C. GASSEN, PLS
Registration No. 353
(985) 785-0745
1026 Gassen Street
Luling, Louisiana 70070

PZS-2015-24
Requested by:
Justin, Heather Loupe & Elaine Naranjo For
Revocation of 60-ft Right-of-Way &
Resubdivision of Lots 307 and 308
Into Lots 307A and 308A



St. Charles Parish
Department of Planning & Zoning

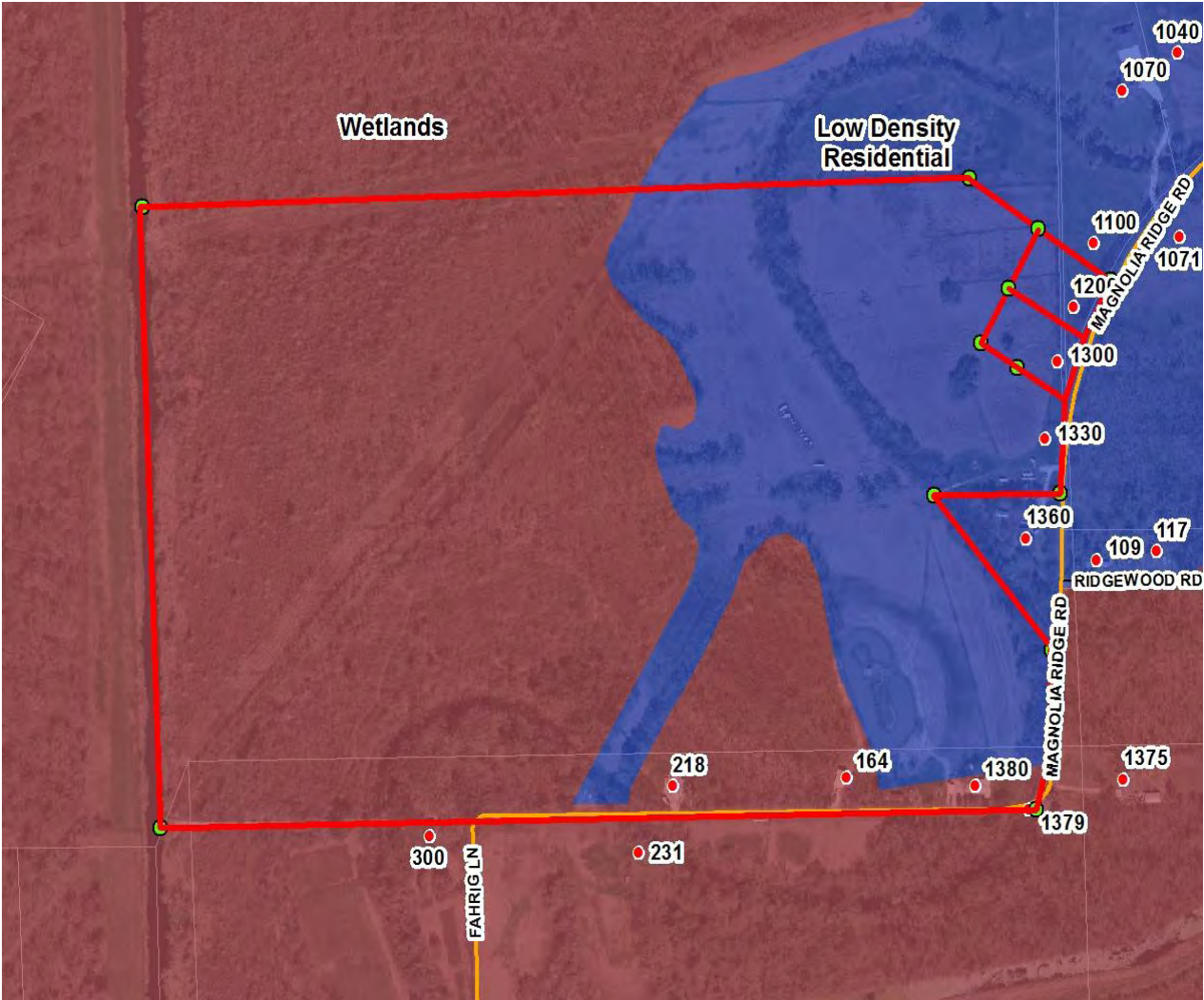
LAND USE REPORT
CASE NUMBER: PZS-2015-35

GENERAL APPLICATION INFORMATION

- | | | |
|---|--|------------------------------------|
| ◆ Name/Address of Applicants
Jody Fahrig
1380 Magnolia Ridge Rd
Boutte LA 70039
504.234.7380
jody.fahrig@gmail.com | Property Owner
Fahrig Sons, LLC
1380 Magnolia Ridge Rd
Boutte LA 70039
985.785.2703 | Application Date:
9/8/15 |
|---|--|------------------------------------|
- ◆ **Location of Site:**
1300 & 1330 Magnolia Ridge Rd
 - ◆ **Requested Action:**
Resubdivision of the T.C. Dufrene Estate & Lot 21-A-3 into Lot 21-A-4, Lot 21-A-5 and Lot 1-TCDE of the T.C. Dufrene Estate.

SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel:**
99 Acres + / --
- ◆ **Traffic Access:**
Magnolia Ridge Rd
- ◆ **Utilities:**
Water.
- ◆ **Plan 2030 Recommendation:**



Low-Density Residential—predominantly single family detached subdivisions, including those developed consistent with the R-1A (6,000 sq. ft. minimum lot size) and R-1B (10,000 sq. ft. minimum lot size) zoning districts. It also allows accessory units and

individual mobile homes on small platted lots zoned R-1AM. Neighborhood-serving uses such as neighborhood parks, churches and servitudes may also be included in this land use category.

Wetlands—land uses limited to low impact uses, such as eco-tourism and recreation (e.g. boating, hiking, hunting, fishing), wildlife observation, environmental education, environmental research, compatible agriculture, managed timber harvest, and other uses that may be permitted by special exception or special permit.

- ◆ **Zoning and Land Use of the property:**
OL and small portion W.

- ◆ **Surrounding Land Uses and Zoning:**
OL zoning and land uses to north, east, and west of site. To south and portion of east of site, Wetlands zoning, primarily vacant land uses.



APPLICABLE REGULATIONS

Subdivision Ordinance, Section II. Subdivision Procedure E. 4.

C. Minor Resubdivisions.

In instances where a net increase of five (5) or fewer lots is proposed by subdivision or resubdivision and no new or additional public improvements are required, no formal preliminary plat shall be required. However, the presented plan of resubdivision shall conform to requirements outlined in section II.C.3. of this section and shall have spaces provided for the signature of the Council Chairman and the Parish President. Approval requires a recommendation to the Council by the Planning & Zoning Commission, an ordinance by the Council, and certification by the Parish President. The proposal shall be in compliance with all relevant land use regulations, including the St. Charles Parish Zoning Ordinance and Subdivision Regulations, as amended. This authority shall not exceed the limits herein.

Subdivision Ordinance, Section II. Subdivision Procedure, C. Minor Resubdivisions.

1. In instances where a net increase of five (5) or fewer lots is proposed by subdivision or resubdivision and no new or additional public improvements are required, no formal preliminary plat shall be required. However, the presented plan of resubdivision shall conform to requirements outlined in section II.C.3. of this section and shall have spaces provided for the signature of the Council Chairman and the Parish President. Approval requires a recommendation to the Council by the Planning and Zoning Commission, an ordinance by the Council, and certification by the Parish President. The proposal shall be in compliance with all relevant land use regulations, including the St.

Charles Parish Zoning Ordinance and Subdivision Regulations, as amended. This authority shall not exceed the limits herein. (Ord. No. 14-8-3, § I, 8-4-14)

ANALYSIS

This is a request to subdivide a lot denoted on the submitted survey as the TC Dufrene Estate and Lot 21-A-4 into Lot 1-TCDE, Lot 21-A-4 and Lot 21-A-5.

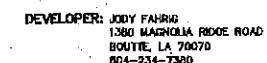
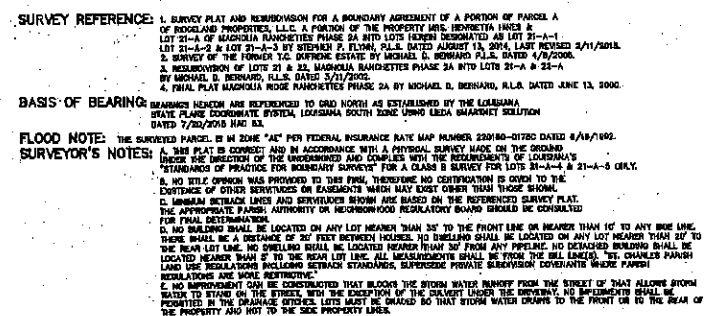
The dimensions of the current lots are:
The TC Dufrene Estate lot: 99+ / - acres “(not surveyed);”
Lot 21-A-3: 0.5574 acres

Approval of this resubdivision will result in the following lots and dimensions:
Lot 1-TCDE: 99 acres + / - again “(not surveyed)”
Lot 21-A-4: 1 acre
Lot 21-A-5: 1.0728 acres.

Each proposed lot exceeds the required area and width for its current OL zoning district. The resulting land use from this resubdivision will not conflict with the Future Land Use Map recommendation for *low-density residential*.

DEPARTMENTAL RECOMMENDATION

Approval.



APPROVED:

PARISH PRESIDENT _____ DATE _____

CHAIR, PLANNING AND ZONING COMMISSION DATE

PARISH COUNCIL CHAIRMAN DATE

CERTIFICATION: THIS IS TO CERTIFY THAT THIS PLAT IS MADE IN ACCORDANCE WITH LA. REVISED STATUTES 33:5051 ET. SEQ. AND CONFORMS TO ALL PARISH ORDINANCES GOVERNING THE SUBDIVISION OF LAND.

RECORDED IN THE CLERK OF COURT'S OFFICE

ST. CHARLES PARISH ON THE _____

DAY OF _____ IN BOOK _____

FOLIO _____ ENTRY # _____

ALL NECESSARY SEWER, WATER AND/OR OTHER UTILITY
EXTENSIONS SHALL BE MADE BY AND SOLELY AT THE
LOT OWNER'S EXPENSE

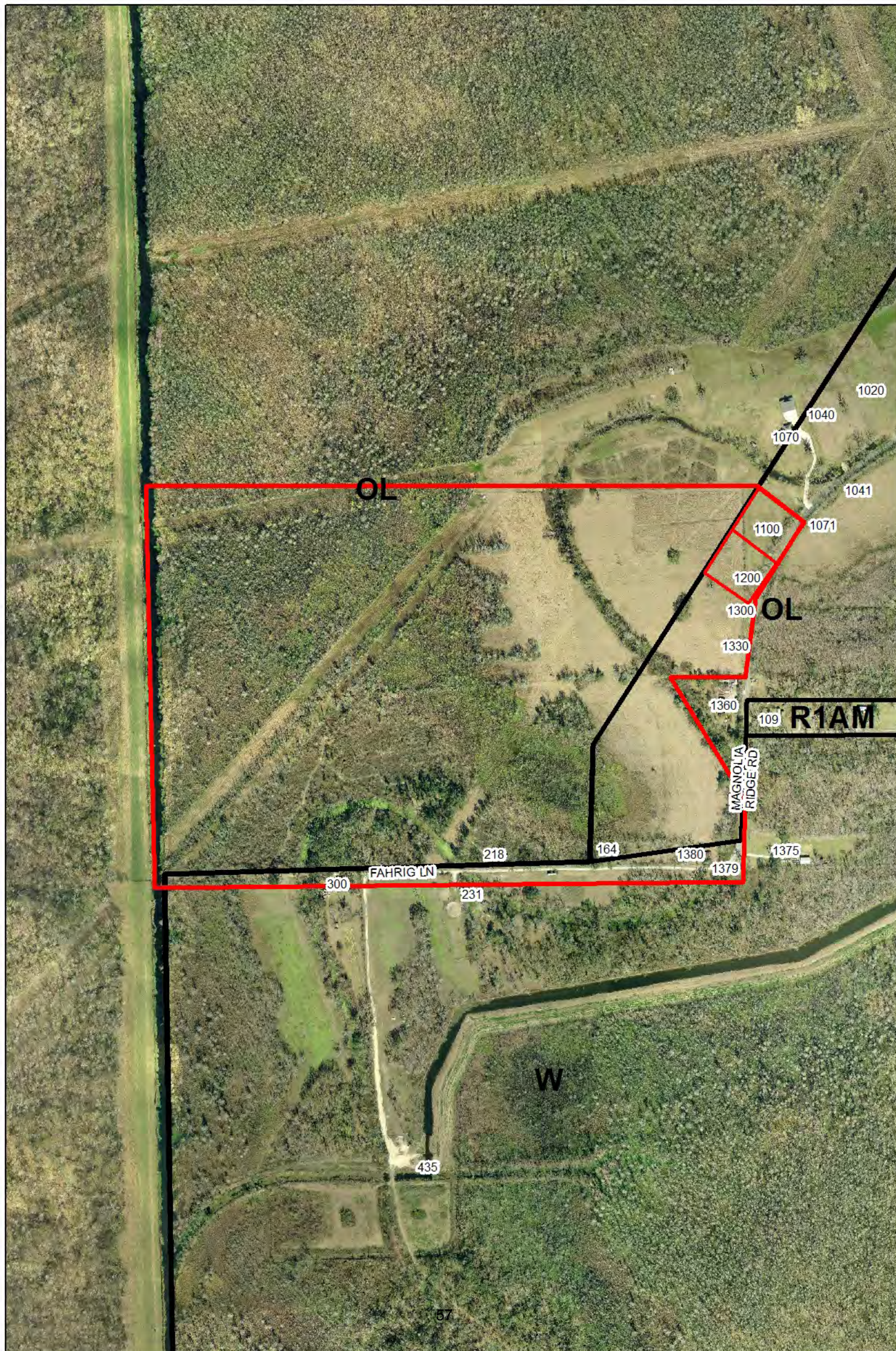
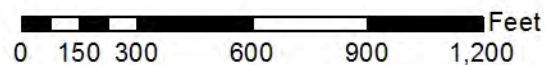
1	5/8/2015	REVISED SETBACK LINES	KPB
NO.	DATE	DESCRIPTION	BY
REVISIONS			
DRAWN BY: KPB		SHEET NO. 1 OF 1	
DATE: JULY 20, 2015		DRAWING NO. MM0008	

Stephen P. Flynn
STEPHEN P. FLYNN
P.L.S. LA. ST. REG. NO. 456B

**RIVERLANDS
SURVEYING
COMPANY**
505 HEMLOCK STREET
LAPLACE, LA. 70068
1-800-248-8982
986-652-6356

- (C) 1" IRON PIPE FOUND
 O #4 IRON ROD FOUND
 (C) CALCULATED POINT
 • #4 IRON ROD SET
 ■ 4'X4' CONCRETE MONUMENT

**Requested by: Jody Fahrig & Fahrig Sons, LLC
Resubdivision TC Dufrene Estate and Lot 21-A-3 into
Lots 21-A-4, 21-A-5 and 1-TCDE**



St. Charles Parish

Department of Planning & Zoning

LAND USE REPORT
CASE NUMBER: PZS-2015-36

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicants**
Catherine & Romeo Dufresne
419 Pine Street
Norco LA 70079
985.764.7882

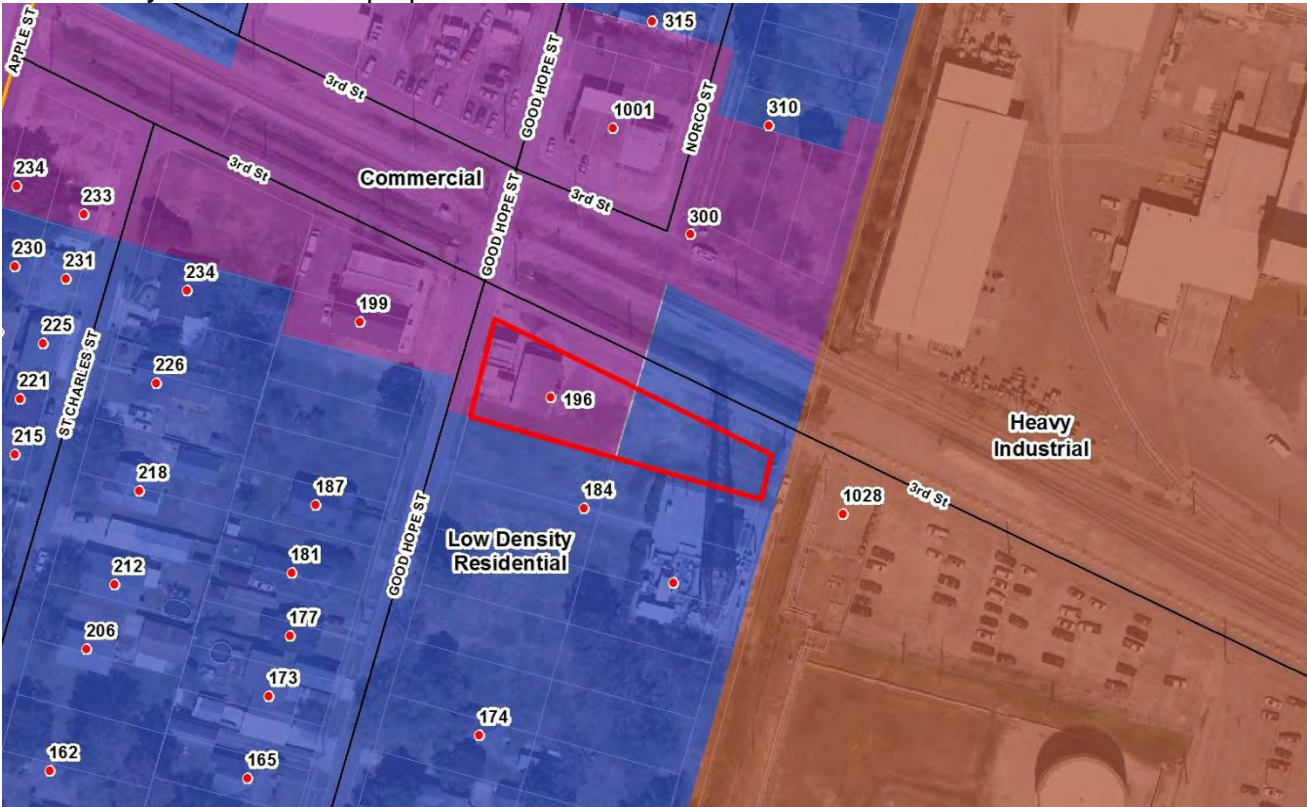
Application Date: 9/7/15
- ◆ **Location of Site:**
196 Good Hope Street, Norco. Corner of Good Hope & 3rd Street, Norco south side of railroad.
- ◆ **Requested Action:**
Resubdivision of Lot 25, Good Hope Subdivision Annex “C” into Lots 25A & 25B.

SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel:**
14,525 sq. ft.
- ◆ **Traffic Access:**
Proposed Lot 25A is a corner lot with frontage on both Goodhope and 3rd Street. Proposed Lot 25B would have 158' of frontage or width on 3rd Street.
- ◆ **Utilities:**
Standard utilities are available on Good Hope Street. Any utility extensions to Lot 25B will have to be made at a developer's expense.
- ◆ **Zoning and Land Use of the property:**
Proposed Lot 25A is zoned C-2 and developed with a gasoline station with two repair bays and limited retail. Proposed Lot 25B is zoned R-1A; it is vacant but graded.
- ◆ **Surrounding Land Uses and Zoning:**
Abutting to the north, the C N Railroad is zoned C-2 and R-1A. Abutting both to the south is a cell tower in R-1A zoning—the access to the tower from Good Hope Street abuts Lot 25A and the cell tower facility abuts Lot 25B. Abutting to the east a chemical plant is zoned M2 with Industrial Area Status. Abutting to the west, across Good Hope Street, the Norco Library is zoned C-2.



- ◆ **Plan 2030 Recommendation:**
Commercial for proposed Lot 25A
Low Density Residential for proposed Lot 25B



APPLICABLE REGULATIONS

Subdivision Ordinance, Section II. Subdivision Procedure, C. Minor Resubdivisions.

1. In instances where a net increase of five (5) or fewer lots is proposed by subdivision or resubdivision and no new or additional public improvements are required, no formal preliminary plat shall be required. However, the presented plan of resubdivision shall conform to requirements outlined in section II.C.3. of this section and shall have spaces provided for the signature of the Council Chairman and the Parish President. Approval requires a recommendation to the Council by the Planning and Zoning Commission, an ordinance by the Council, and certification by the Parish President. The proposal shall be in compliance with all relevant land use regulations, including the St. Charles Parish Zoning Ordinance and Subdivision Regulations, as amended. This authority shall not exceed the limits herein. (Ord. No. 14-8-3, § I, 8-4-14)

ANALYSIS

The applicants request resubdivision of Lot 25, currently split-zoned R-1A and C-2, into two lots: Lot 25A currently in commerce with a two-bay automobile gasoline and service station; Lot 25B currently vacant, but graded. The owners anticipate listing Lot 25B for sale. Each proposed lot exceeds the required area and width for it's current zoning district.

- **Lot 25A:** 6,926 sf; 83.6' width on Goodhope Street; 95.17' width on 3rd Street.
 - C2 zoning requires 6,000 sf and 60' of width.
 - **Lot 25B:** 7,599 sf; 158.5' width on 3rd Street.
 - R-1A zoning requires 6,000 sf and 60' of width.

DEPARTMENTAL RECOMMENDATION

Approval.

